



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 29.11.2016

CORAM

THE HON'BLE MR. JUSTICE K.KALYANASUNDARAM

Crl.O.P.(MD) No.22528 of 2016

WEB COPY

- 1.Ayyanar
- 2.Balamurugan
- 3.Muthupandi
- 4.Sasi@Sasikumar
- 5.Sivanaiah
- 6.Sankar
- 7.Subramani
- 8.Mariappan

... Petitioners/ Accused Nos.3 to 10
-Vs-

The State represented by
The Sub-Inspector of Police,
Karivalamvantha Nallur Police Station,
Cr.No.315 of 2016,
Tirunelveli District. ... Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned II Additional Sessions Judge, (PCR Court) Act cases, Tirunelveli, Tirunelveli District to consider the petitioners' bail application on merits on the date of surrender on the same day in Crime NO.315 of 2016 for offences under Sections 147, 148, 294(b), 323, 324, 427, 506(ii) I.P.C. r/w 3(1)(r) 3(1)(s), 3(2)(VA) of SC/ST Act (POA) Amendment Act 2015 on the file of the Sub-Inspector of Police, Karivalamvantha Nallur Police Station, Tirunelveli District.

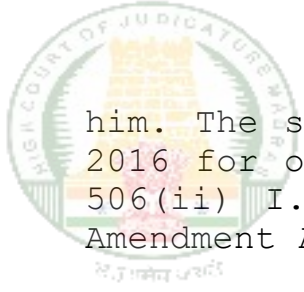
For Petitioners : Mr.J.Senthilkumar
For Respondent : Mr.K.Anbarasan

Govt. Advocate (Crl.Side)

O R D E R

This petition has been filed seeking a direction to the learned II Additional Sessions Judge, (PCR Court) Act cases, Tirunelveli, Tirunelveli District to consider the petitioners' bail application on merits on the date of surrender on the same day in Crime NO.315 of 2016 for offences under Sections 147, 148, 294(b), 323, 324, 427, 506(ii) I.P.C. r/w 3(1)(r) 3(1)(s), 3(2)(VA) of SC/ST Act (POA) Amendment Act 2015 on the file of the Sub-Inspector of Police, Karivalamvantha Nallur Police Station, Tirunelveli District.

2.The sum and substance of the complaint is that due to a love marriage between the defacto complainant and the first respondent, the petitioners and other accused attacked the defacto complainant with hand and aruval and used filthy language against the defacto complainant's caste and threatened



him. The said complaint has been registered in Crime No.NO.315 of 2016 for offences under Sections 147, 148, 294(b), 323, 324, 427, 506(ii) I.P.C. r/w 3(1)(r) 3(1)(s), 3(2)(VA) of SC/ST Act (POA) Amendment Act 2015.

3.Learned counsel for the petitioners would submit that the petitioners have been falsely implicated in the case due to previous motive and that in view of the specific bar under Section 18 of the said Act, the petitioners cannot move any anticipatory bail application and therefore, the petitioners have come up with this petition.

4. Learned Government Advocate (Crl. Side) appearing for the respondent would submit that the injured has already been discharged from the hospital.

5.Having regard to the facts and circumstances of the case, the petitioners are directed to surrender before the Court concerned within ten days from the date of receipt of a copy of this order and file bail application. The Court concerned is directed to accept the surrender of the petitioners in Crime No.315 of 2016 and consider bail application of the petitioners and dispose of the same on merits and in accordance with law, on the same day of their surrender.

6.This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub-Assistant Registrar

To:

1. II Additional Sessions Court, (PCR Court) Act cases,
Tirunelveli, Tirunelveli District
- 2.The Sub-Inspector of Police,
Karivalamvantha Nallur Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+One cc to M/s.J.Senthil Kumar, Advocate, SR.No.74582

ssl

RL/5C/2P/SKS/RR/14.12.2016