



WEB COPY

1

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.22548 of 2016

1.Saravanan
2.Velayutham
3.Nagaraj
4.Pakkiyaraj
5.Veeranan
6.Karthik

... Petitioners/ Accused Nos.1 to 6

-Vs-

The State represented by
The Inspector of Police,
Perungudi Police Station,
Madurai District.

... Respondent/Complainant

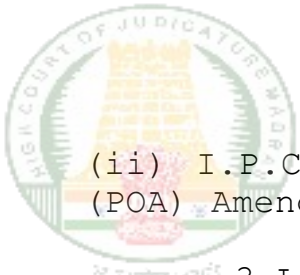
Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned I Additional Sessions Judge cum PCR Court, Madurai to consider the bail application filed by the petitioners on the date of surrender on the same day in Crime No.360 of 2016 on the file of the respondent police.

For Petitioners	: Mr.A.Banumathy
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 I Additional Sessions Judge cum PCR Court, Madurai to consider the bail application filed by the petitioners on the date of surrender on the same day in Crime No.360 of 2016 on the file of the respondent police.

2.The sum and substance of the complaint is that when the defacto complainant was riding his bicycle, the petitioners used the defacto complainant's name and used filthy language and the first petitioner attacked the defacto complainant with iron rod and the other petitioners attacked with stick and also threatened with dire consequences. The said complaint has been registered in Crime No.360 of 2016 for offences under Sections 294(b), 341, 324, 506



(ii) I.P.C. r/w 3(1)(r), 3(1)(s), 3(1)(a), 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.360 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(T & P)

/TRUE COPY/

Sub Assistant Registrar

To:

1. The I Additional Sessions Judge cum PCR Court, Madurai
2. The Inspector of Police, Perungudi Police Station, Madurai District.
3. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+1cc to M/s.A.Banumathy, Advocate, in SR No.73762.

Crl.O.P.(MD) No.22548 of 2016
29.11.2016

ssl
msm/ck/sar3/09.12.16/p2/5c