



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.12.2016

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE R. MAHADEVAN

Crl.O.P.(MD) No.24021 of 2016

Ramesh Krishnan

... Petitioner/ Accused No.6

-Vs-

The State represented by
The Inspector of Police,
D2 Karimedu Police Station,
Madurai City.
Crime No.1849 of 2009

... Respondent /Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned III Additional District and Sessions Judge Cum PCR Court, Madurai, to pass order on the bail petition filed by the petitioners on the same day of surrender in Spl.S.C.No.29 of 2014 on the file of the III Additional District and Sessions Judge (PCR), Madurai pertaining to Crime NO.1849 of 2009 on the file of the Inspector of Police, D2. Karimedu Police Station, Madurai city.

For Petitioners : Mr.N. Mohideen Basha

For Respondents : Mr.P. Kandasamy
Govt. Advocate (Crl.Side)

O R D E R

This petition has been filed seeking a direction to the learned III Additional District and Sessions Judge Cum PCR Court, Madurai, to pass order on the bail petition filed by the petitioners on the same day of surrender in Spl.S.C.No.29 of 2014 on the file of the III Additional District and Sessions Judge (PCR), Madurai pertaining to Crime No.1849 of 2009 on the file of the Inspector of Police, D2. Karimedu Police Station, Madurai city.

2.The sum and substance of the complaint is that a wordy quarrel arose between the petitioners and the defacto complainant, the petitioners attacked the defacto complainant by mentioning their caste name and caused simple injuries. The said complaint



has been registered in Crime No.1849 of 2009 of 2016 for the alleged offences under Sections 147, 448, 427 and 323 of IPC r/w. Sec. 3(1)(x) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act.

3. Learned counsel for the petitioner 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 petitioner has come up with this petition.

4. Heard the learned Government Advocate (Crl. Side) appearing for the respondent.

5. Having regard to the facts and circumstances of the case, the petitioner is 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.1849 of 2009 and consider bail application of the petitioner and dispose of the same on merits and in accordance with law, on the same day of his surrender.

6. This Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar

To:

1. The III Additional District and Sessions Judge
Cum PCR Court, Madurai.

2. The Inspector of Police,
D2 Karimedu Police Station, Madurai City.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 cc to M/s.N.Mohideen Basha, Advocate in SR.No. 83843

trp
CSL/SKN/SAR-I/02.01.2017 : 2P/5C

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