



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.24095 of 2016

1.Malairaj
2.Parvathi

... Petitioners/ Accused Nos.1 to 3

-Vs-

The State represented by
The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai

(Cr.No.994 of 2016)

... Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the Sessions Judge, Special Court for exclusive trial of cases under SC/ST (Prevention of Atrocities) Act, Sivagangai to consider the bail petition of the petitioners on the same day on their surrender in connection with Crime No.994 of 2016 on the file of the respondent police.

For Petitioners : Mr.A. Mohan

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

ORDER

This petition has been filed seeking a direction to the Sessions Judge, Special Court for exclusive trial of cases under SC/ST (Prevention of Atrocities) Act, Sivagangai to consider the bail petition of the petitioners on the same day on their surrender in connection with Crime No.994 of 2016 on the file of the respondent police.

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.994 of 2016 for the alleged offences under Sections 341, 294(b), 323, 506(i) of IPC and Section 3(1)(x) of the Scheduled Caste and Tribes (Prevention of Atrocities) Amendment and Ordinance Act 2014.



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.994 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

/True Copy/

Sub Assistant Registrar

trp

To:

1. The Sessions Judge,
Special Court for exclusive trial of cases under
SC/ST (Prevention of Atrocities) Act, Sivagangai

2. The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai

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

+1CC to Mr.A.Mohan, Advocate Sr.No.83754

GJM/SS3/SAR-2-2.1.17-2p-5C

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