



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.12.2016

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE R. MAHADEVAN

Cr1.O.P.(MD) No.24101 of 2016

- 1.Suruli
- 2.Thangadurai
- 3.Manikandan
- 4.Kubdendran
- 5.Perumal
- 6.Anjuneyar
- 7.Murugesan @ Andisamy
- 8.Thangadurai
- 9.Andichi
- 10.Murugan
- 11.Mariyappan
- 12.Pandiraj @ Pandi
- 13.Ganesan
- 14.Krishnan
- 15.Pandi
- 16.Annadurai
- 17.Bavun
- 18.Meena

... Petitioners/ Accused 1,3 to 19

-Vs-

- 1.The State represented by
The Deputy Superintendent of Police,
Chinnamanur Police Station,
Theni District
(Cr.No.679 of 2016)

... Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned Principal and Sessions Judge designated court for trial of cases of the Schedule Caste / Schedule Tribes Act, Theni to consider the bail application of the petitioners / accused filed by them on their surrender in connection with Crime No.679 of 2016 on the file of the respondent police on the same day.

For Petitioners : Mr.Venkateswaran

For Respondents : Mr.P. Kandasamy
Govt. Advocate (Cr1.Side)

For Intervenor : Mr.V.Thirumal

**O R D E R**

This petition has been filed seeking a direction to the learned Principal and Sessions Judge designated court for trial of cases of the Schedule Caste / Schedule Tribes Act, Theni to consider the bail application of the petitioners / accused filed by them on their surrender in connection with Crime No.679 of 2016 on the file of the respondent police on the same day.

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.758 of 2016 for the alleged offences under Sections 341, 147, 148, 294(b), 323, 324, 354, 506 (ii) of IPC and r/w. 3(1)(r)(s) and 3(2)(va) of the Scheduled Caste and Tribes (Prevention of Atrocities) Amendment and Ordinance 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. The learned counsel appearing for the intervenor vehemently opposed to consider the bail application of the petitioners on the same day.

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

6.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.679 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.

7.This Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar

/True copy/



To:

1. The learned Principal and Sessions Judge
designated court for trial of cases of the Schedule Caste/
Schedule Tribes Act, Theni

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2. The Deputy Superintendant of Police,
Chinnamanur Police Station, Theni District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 cc to M/s.R.Venkateswaran, Advocate in SR.No. 83738
+1 cc to M/s.Nagai Thiruvalluvan, Advocate in SR.No. 83737

trp

CSL/SKN/SAR-II/02.01.2017 : 2P/6C

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