



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.06.2016

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

Crl.O.P.(MD) No.9002 of 2016

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1. Anandh
2. Alexpandian
3. Mani @ Manikandan
4. Mayakannan @ Mayakrishnan
5. Murali
6. Mohan
7. Tholpandi @ Pandi

...Petitioner/A1 to A7

-vs-

State represented by

1. The Deputy Superintendent of Police,
Usilampatti, Madurai District.

2. The Inspector of Police,
Town Police Station,
Usilampatti, Madurai District.
(Crime No.280/2016)

...Respondents/Complainants

Prayer : Criminal original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned III Additional District Court (P.C.R.Court) Madurai under the SC/ST Act to consider the bail application on the surrender of the petitioner in connection with Crime No. 280 of 2016 pending investigation on the file of the Respondents on merits on the same day.

For Petitioner : Mr.M.Meenal Pandian
For Respondents : Mr.A.P.Balasubramani
Govt. Advocate (Crl.Side)

O R D E R

This petition has been filed, seeking to direct the learned III Additional District Court (P.C.R.Court), Madurai under the SC/ST Act to consider the bail application on the surrender of the petitioner in connection with Crime No.280 of 2016 for offences under Sections 147, 148, 294(b), 307 and 363 IPC r/w 3(2)(Va) of SC/ST (PoA) Amendment Ordinance Act, pending investigation on the file of the respondents on merits on the same day.

2. The complaint preferred by one Vignesh @ Somasundareswaran states that he was in love with one Thangam (name changed) and in respect of the same, there was a problem in the village. Vignesh lodged a complaint with Usilampatti Police seeking police protection for their marriage. It is alleged that the accused persons came with deadly weapons in a car and bike, threatened him and used abusive language.



3. Learned counsel for the petitioner submits that there is no allegation of kidnapping and when Thangam was produced before the HCP Court, she deposed that she is employed and she is independent now; that she was not kidnapped by anybody at all.

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4. Learned Government Advocate (Crl.Side) takes notice for the respondents and has produced documents, which show that there is no grievous hurt or injury and even though deadly weapons were said to be used, there is not even cut injuries.

5. Therefore, considering the submissions of both sides and also considering the nature of the prayer in this case in view of the specific bar under Section 18 of the S.C. & S.T. (Prevention of Atrocities) Act that the petitioners cannot move any anticipatory bail, the petitioners are directed to surrender before the learned III Additional District Court (P.C.R.Court) Madurai within ten days from the date of receipt of a copy of this order. The learned III Additional District Court (P.C.R.Court) Madurai is directed to accept the surrender of the petitioners and consider their bail applications, in the event of the petitioners filing such petition in Crime No.280 of 2016 on the file of the respondent police, and dispose of the same on merits and in accordance with law on the same day.

With this observation, this petition is disposed of accordingly.

Sd/-

Assistant Registrar(p&a)

/True Copy/

Sub Assistant Registrar(CS)

To:

1. The III Additional District Court
(P.C.R.Court), Madurai
2. The Deputy Superintendent of Police,
Usilampatti, Madurai District.
3. The Inspector of Police,
Town Police Station,
Usilampatti, Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/s.M.Meenal Pandian, Advocate in SR.31038

Crl.O.P.(MD) No.9002 of 2016

15.06.2016