



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.06.2016

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

Crl.O.P.(MD) No.9030 of 2016

1.Jothivel
2.Vadivel
3.Rajkumar

...Petitioners/Accused Nos.4, 6 & 7

-Vs-

State rep. by
1.The Deputy Superintendent of Police,
Musiri, Trichy District.

2.The Inspector of Police,
Musiri Police Station,
Trichy District.
(Crime No.680/2015)

... Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the Special Judge for SC/ST (Prevention of Atrocities) Act / 1st Additional District Judge (PCR Court), Trichy to consider the bail application of the petitioners on the same day of their surrender in Crime No.680 of 2015 on the file of the respondent Police.

For Petitioner : Mr.A.Joel Paul Antony

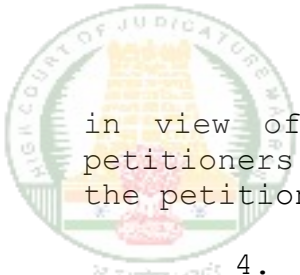
For Respondent : Mr.A.P.Balasubramani
Govt. Advocate (Crl.Side)

O R D E R

This petition has been filed seeking a direction to the learned Special Judge for SC/ST (Prevention of Atrocities) Act cum I-Additional District Judge (PCR Court), Trichy, to consider the bail application of the petitioners on the same day of their surrender in Crime No.680 of 2015.

2.The sum and substance of the complaint against the petitioners is that due to previous motive, on 11.11.2015 the petitioners trespassed into the house of the defacto complainant, abused him in filthy language and also by his caste name, and gave a life threat to him. The said complaint has been registered in Crime No.680 of 2015 for the alleged offences under Sections 147, 294(b), 323, 506(i) IPC r/w 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Act.

3.Learned counsel for the petitioner submits 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 respondents would submit that the injured has been discharged from the hospital and that the major part of the investigation is over and the co-accused has already been released on bail.

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 a bail application. The Court concerned is directed to accept the surrender of the petitioner in Crime No.680 of 2015 and consider the 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(W)

/True Copy/

Sub Assistant Registrar.

To:

1. The Special Judge for SC/ST (Prevention of Atrocities) Act cum I-Additional District Judge (PCR Court), Trichy.
2. The Deputy Superintendent of Police, Musiri, Trichy District.
3. The Inspector of Police, Musiri Police Station, Trichy District.
4. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+1CC to M/S.Joel Paul Antony, Advocate, SR.No. 30702

Crl.O.P.(MD) No.9030 of 2016
13.06.2016

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