



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.07.2016

CORAM

THE HON'BLE DR.JUSTICE S.VIMALACrl.O.P.(MD) No.9411 of 2016

S.Manivannan

... Petitioner/A5

-vs-

State rep. by
the Inspector of Police,
Kurangani Police Station,
Theni District.
(Crime No.55/2016)

... Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the PCR Court, Theni (Special Court) under SC/ST Act to accept the surrender of the petitioner and to dispose of the bail application of the petitioner in connection with Crime No.55 of 2016 pending investigation on the file of the respondent on merits on the same day.

For Petitioner : Mr.K.Karmegam
For Respondent : Mr.K.V.Rajarajan,
Govt. Advocate (Crl.Side)

O R D E R

This petition has been filed seeking a direction to the learned PCR cum Special Court for SC/ST Act, Theni to consider the bail application of the petitioner on the same day of his surrender in connection with Crime No.55 of 2016.

2.The sum and substance of the complaint is that due to previous motive, the petitioner and other accused abused the defacto complainant in filthy language and also by his caste name and attacked the defacto complainant with stick. The said complaint has been registered in Crime No.55 of 2016 for the alleged offences under Sections 147, 148, 294(b), 323, 324, 506(ii) IPC r/w 3(1)(r)(s), 3(2)(v-a) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Act, 2015.

3.The Learned counsel for the petitioner would submit that the petitioner has 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 petitioner cannot move any anticipatory bail application and therefore, the petitioner has come up with this petition.

4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that the injured has been discharged from the hospital; the weapon used is only stick; and the co-accused has already been released on bail.



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 a bail application. The Court concerned is directed to accept the surrender of the petitioner in Crime No.55 of 2016 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(P&A)

/True Copy/

Sub Assistant Registrar.

To:

1. The PCR cum Special Court for SC/ST Act,
Theni.
2. The Inspector of Police,
Kurangani Police Station,
Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to M/S. K.Karmegam, Advocate, SR.No. 34757

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AM/NGM.MP/SAR-III/04.07.2016/2P/5C