



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.06.2016

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

Crl.O.P.(MD) No.9446 of 2016

1.Muthuram
2.Puliraja
3.Ajithkumar

... Petitioners/Accused Nos.7 to 9

-Vs-

1.The Deputy Superintendent of Police,
Periyakulam,
Theni District.

2.State rep. by
the Inspector of Police,
Jayamangalam Police Station,
Theni District.

(Crime No.140/2016)

... Respondents/Complainants

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned District and Sessions Judge (PCR Court), Theni to accept the surrender of the petitioners and consider their bail application on the same day on merits in relating to Crime No.140 of 2016, dated 06.06.2016 on the file of the respondents Police.

For Petitioner : Mr.D.Rameshkumar

For Respondent : Mr.A.P.Balasubramani

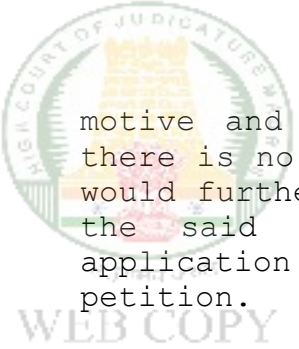
Govt. Advocate (Crl.Side)

O R D E R

This petition has been filed seeking a direction to the learned District and Sessions Judge (PCR), Theni, to accept the surrender of the petitioners and consider their bail application on the same day of their surrender in Crime No.140 of 2016.

2.According to the prosecution, on 06.06.2016 the petitioners along with other accused alleged to have abused the defacto complainant using his caste name and also have caused injury by using wooden log. The said complaint has been registered in Crime No.140 of 2016 for the alleged offences under Sections 147, 148, 294(b), 323, 324 IPC and Section 3(1)(r)(s), 3(2)(V-a) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Act.

3.Learned counsel for the petitioners would submit that the petitioners have been falsely implicated in the case due to previous



motive and that the accused persons have been selected in random and there is no specific overtact as against each of the accused persons. He would further submit 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 was admitted in the hospital on 06.06.2016 and after treatment, he has been discharged from the hospital on 17.06.2016 and that the major part of the investigation over.

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 petitioners in Crime No.140 of 2016, 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(Record)

/True Copy/

Sub Assistant Registrar.

To:

1 The District and Sessions Judge, (PCR Court),
Theni.

2. The Deputy Superintendent of Police,
Periyakulam,
Theni District.

3. The Inspector of Police,
Jayamangalam Police Station,
Theni District.

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

+1CC to M/S. D.Ramesh Kumar, Advocate, SR.No. 31838

Crl.O.P.(MD) No.9446 of 2016
21.06.2016

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