



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 20.06.2016
CORAM

THE HONOURABLE DR.JUSTICE S.VIMALA

Cr1.O.P(MD)No.9499 of 2016

1.Seenivasagan

2.Mahalakshmi

.. Petitioners/Accused Nos.1 & 2

Vs.

1.The State rep. By

The Deputy Superintendent of Police,
Tirumangalam,
Madurai District.

2.The Inspector of Police,
Kallikudi Police Station,
Madurai District.

(In Crime No.140/2016)

.. Respondents/Respondents

PRAYER:Criminal Original Petition has been filed under Section 482 of Cr.P.C., praying to direct the learned III Additional District and Sessions Judge (PCR Court), Madurai to consider the bail application on the same day of their surrender if any filed by the petitioners/Accused Nos.1 and 2 in Crime No.140 of 2016 registered by the second respondent herein.

For Petitioners :Mr.R.Gowrishankar

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

ORDER

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

2.According to the prosecution, the defacto complainant and the petitioners' daughter fell in love and registered their marriage. and on knowing that, the petitioners detained her wife and when the defacto complainant tried to meet his wife, the petitioners abused the defacto complainant by using his caste name and also threatened him with dire consequences. The said complaint is registered in Crime No.140 of 2016 for the alleged offences under Sections 341, 342 and 506(i) IPC and Section 3(1)(r) and 3(1)(s) of the Scheduled Castes and Scheduled Tribes



(Prevention of Atrocities), Amendment Act.

3. Learned counsel for the petitioners would submit that the petitioners have been falsely implicated in the case 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 occurrence is said to have taken place merely due to verbal altercation between the defacto complainant and the petitioners, 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 (AE)

/True Copy/

Sub Assistant Registrar (CS)

To

1. The III Additional District and Sessions Judge (PCR Court),
Madurai.
2. The Deputy Superintendent of Police, Tirumangalam,
Madurai District.
3. The Inspector of Police, Kallikudi Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr. R. Gowrishankar, Advocate, Sr.No.31454

gcg

JM/GSV-PM/SAR-II/21.06.2016/2P-6C