

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 20.07.2016**

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CORAM:**THE HONOURABLE Dr. JUSTICE S.VIMALA****Cr1.O.P. (MD) .No.9635 of 2016**

1.Subramanaian
2.Mani
3.Murugaiah

.. Petitioners/Accused No.6 & 7
petitioner No.3 rank not known

Vs.

State rep. by
the Inspector of Police,
Chinnakovilankulam Police Station,
Tirunelveli District.
(Crime No.82 of 2016)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the IInd Additional Sessions Judge (PCR Court) Tirunelveli district to consider the Petitioners' bail application on the date of surrender on the same day in Cr No.82/2016 on the file of the Inspector of police, Chinnakovilankulam Police station, Tirunelveli district.

For Petitioners
For Respondent

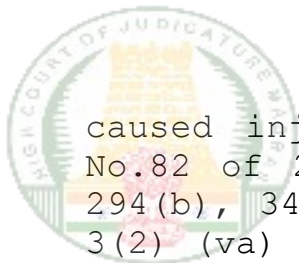
: Mr.K.Prabhu
: Mr.A.P.Balasubramani
Government Advocate
(Criminal side)

ORDER

It is an application seeking a direction to the II Additional Sessions Judge (PCR Court) Tirunelveli District to consider the petitioners' bail application on the same day of their surrender in Crime No.82 of 2016.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Cr1.side) for the respondent.

3.The sum and substance of the complaint against the petitioners and others is that on 27.05.2016 at about 20.00 hours, while the defacto complainant went on a two-wheeler, the petitioners have restrained the defacto complainant, abused him in filthy language and caste name. They have also attacked the defacto complainant by using knife and wooden stick and thereby



caused injury. The said complaint has been registered in Crime No.82 of 2016 for the alleged offences under Sections 147, 148, 294(b), 341, 323, 324, 307 and 506(ii) IPC and 3(1) (r), 3(1)(s), 3(2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Amendment Ordinance Act, 2015.

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4.The learned counsel appearing for the petitioners would submit that in the counter case filed by the petitioners in Crime No.81 of 2016, the petitioners therein have already been released on bail and in this case also co-accused are already released on bail. The learned counsel has also represented 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.

5.The learned Government Advocate (Cr1. Side) appearing for the respondent would submit that the co-accused in this case have already been released on bail and major portion of investigation is over.

6.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.82 of 2016 and consider their bail application and dispose of the same on merits and in accordance with law, on the same day of their surrender.

7.With the above direction, this petition is disposed of.

sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1.The II Additional Sessions Judge (PCR Court),
Tirunelveli District.

2.The Inspector of Police, Chinnakovilankulam Police Station,
Tirunelveli District.

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

+1 cc to MR.K.PRABHU, Advocate Sr.No.38006

mj

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20.07.2016

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