



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.06.2016

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

Crl.O.P.(MD).No.9687 of 2016

WEB COPY

1.Balu @ K.Balachandar
2.R.Suresh
3.M.Raja

.. Petitioners

Vs.

The Inspector of Police,
TMCH Police Station
Thanjavur
Crime No.219 of 2016

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the learned Ist Additional Sessions Judge cum Special Judge for PCR Cases, Thanjavur to accept the surrender of the petitioners and to consider the bail applications to be filed by the petitioners in Crime No.219 of 2016 on the file of the respondent police on the same day.

For Petitioner : Mr.B.Janarthkumar

For respondents : Mr.A.P.Balasubramani
Government Advocate (Criminal side)

ORDER

This application has been filed seeking a direction to the Court, which is dealing with the SC/ST Act cases to consider the bail application on the day of surrender itself.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondents.

3.The respondent has registered a case against the petitioners under Sections 294(b), 342, 326 IPC r/w 3 (1)(x), 3(2)(V-a) of SC/ST Act of POA (Amended) Act 2015. The petitioners are stated to be the employees of Equitas Finance Company, Thanjavur. The de-facto complainant is stated to have borrowed a loan for purchase of a lorry and he was remitting the loan in installments. When there was a balance of Rs.76,800/- to be payable, on account of non payment, the petitioners have seized the lorry. It is alleged that on account of that enmity, a false case has been registered against these petitioners.

4.According to the learned Government Advocate (Crl. Side), the injured has been discharged from the hospital and major part of the investigation is over. It is also admitted that injury is not grievous in nature.

<https://hcservices.ecourts.gov.in/hcservices/>

5.The learned counsel for the petitioners brought to the attention of this Court that the de-facto complainant had bitten the finger of the



third petitioner herein and also a case has been registered against the de-facto complainant also.

6. Under such circumstances, the learned Ist Additional Sessions Judge cum Special Judge for PCR Cases, Thanjavur, is directed to consider the bail application of the petitioners and pass orders on merits on the same day of their surrender.

With the above direction, this petition is disposed of.

Sd/

Assistant Registrar(AS)

/TRUE COPY/

Sub Assistant Registrar

To

1. The Ist Additional Sessions Judge cum Special Judge for PCR Cases,
Thanjavur

2. The Inspector of Police,
TMCH Police Station
Thanjavur

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

+1cc to M/S.B.Jenarth Kumar, Advocate in SR.No.31586

Crl.O.P(MD)No.9687 of 2016
21.06.2016

RR

PA/AAL-MPA/SAR III/22.06.2016/2P/5C (IT)