



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.12.2016

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE R. MAHADEVAN

Crl.O.P. (MD) No.24053 of 2016

1.K. Vasantha Laksmi
2. T.Kalyanasundaram

... Petitioners/ Accused No.2&3

-Vs-

1. The Deputy Superintendant of Police,
Kumbakonam Sub Division,
Thanjavur District.

2. The State represented by
The Inspector of Police,
All Women Police Station,
Kumbakonam, Thanjavur District.
(Cr.No.11 of 2016)

... Respondent/Complainant

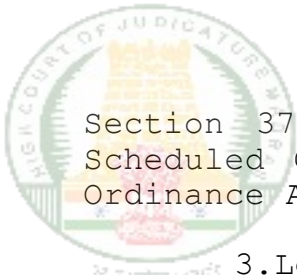
Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned I Additional District and Sessions Judge, (Special Judge for PCR Cases), Thanjavur, Thanjavur District, to consider and dispose of the bail application filed by the petitioners in Crime No.11 of 2016 on the file of the 2nd respondent police on the same day of their surrender.

For Petitioners	: Mr.A. Thiruvadikumar
For Respondents	: Mr.P. Kandasamy
	Govt. Advocate (Crl.Side)

O R D E R

This petition has been filed seeking a direction to the learned I Additional District and Sessions Judge, (Special Judge for PCR Cases), Thanjavur, Thanjavur District, to consider and dispose of the bail application filed by the petitioners in in Crime No.11 of 2016 on the file of the 2nd respondent police on the same day of their surrender.

2.The sum and substance of the complaint is that a wordy quarrel arose between the petitioners and the defacto complainant, the petitioners attacked the defacto complainant by mentioning their caste name and caused simple injuries. The said complaint has been registered in Crime No.568 of 2016 for the alleged offences under



Section 376 of IPC, r/w. Section 3(1)(r)(s) and 3(1)(w)(i) of the Scheduled Caste and Tribes (Prevention of Atrocities) Amendment and Ordinance Act, 2015.

3. Learned counsel for the petitioners would submit that the petitioners have 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 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 respondent would submit that the injured has already been discharged from the hospital.

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 bail application. The Court concerned is directed to accept the surrender of the petitioners in Crime No.11 of 2016 and consider 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/-

Vacation Officer

/True Copy/

Sub Assistant Registrar

trp

To:

1. The Deputy Superintendant of Police,
Kumbakonam Sub Division,
Thanjavur District.
 2. The State represented by
The Inspector of Police,
All Women Police Station,
Kumbakonam, Thanjavur District.
(Cr.No.11 of 2016)
 3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- +1CC to Mr.A.Thiruvadikumar, Advocate Sr.No.83849

GJM/SKN/SAR-III-2.1.17-2p-5C