



Crl.O.P.(MD)No.792 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 03.04.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

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Mahalakshmi

... Petitioner

Vs.

1. The Deputy Superintendent of Police,
O/o. the Deputy Superintendent of Police,
Andipatti Sub Division, Theni District.

2.The Inspector of Police
Andipatti Police Station,
Theni District.
Crime No.389 of 2023.

3. Deepa

...Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the Special Court for the Exclusive trial of SC/ST Act Cases, Theni, to consider the bail application of the Petitioner on the same day on merits in Cr.No.389 of 2023 on the file of the second Respondent Police.

For Petitioner

: Mr.S.Nihar Ali

For R1 & R2

: Mr.P.Kottaichamy
Government Advocate (Crl.side)



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ORDER

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2. Section 18 of the SC/ST (POA) Act prohibits grant of anticipatory bail in the cases registered under the SC/ST (POA) Act. The petitioner claims that this case is a foisted one and he will prove his innocence. In view of the bar under Section 18 of the SC/ST (POA) Act, the petitioner is inclined to surrender before the Special Court concerned and to seek regular bail. However, the petitioner seeks a direction for disposal of the bail application on the same day.

3. This Court in similar circumstances had issued directions to the Courts concerned where FIR is pending, to consider the bail application filed on the same day of their surrender and therefore, by relying upon the similar orders, the petitioner prays for similar directions.

4. Considering the facts and circumstances, the similar such orders passed by this Court, this petition is disposed of with a direction to the



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petitioner to surrender within a period of two weeks from today before the Special Court for the Exclusive trial of SC/ST Act Cases, Theni, which in turn is directed to entertain the bail application if any filed by this petitioner on the same of day. The Public Prosecutors are expected to be available in the Courts and the Public Prosecutors can very well get instructions with the available scientific modes. The bail applications in any event shall be disposed on merits on the same day.

5.This Criminal Original Petition is disposed of accordingly.

03.04.2024

Index : Yes/No

Internet:Yes

NCC : Yes/No

LS

To

1.The Special Court for the Exclusive trial of SC/ST Act Cases,
Theni.

2. The Deputy Superintendent of Police,
O/o. the Deputy Superintendent of Police,
Andipatti Sub Division, Theni District.

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

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



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B.PUGALENDHI,J

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Order made in
Crl.O.P.(MD)No.792 of 2024

03.04.2024