



CRL OP(MD). No.5011 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 01/04/2024

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THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.5011 of 2024

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... Petitioner

Vs

1.The Deputy Superintendent of Police,
Usilampatti, Madurai District.

2.The Inspector of Police,
Usilampatty Town Police Station,
Madurai District.
Crime No. 116/2024.

3.Kavitha

... Respondents

Prayer: Petition filed under Section 482 of the Criminal Procedure Code, to direct the learned III Additional District and Sessions Judge (PCR), Madurai to consider the bail application of the petitioners concerned in Crime No.116/2024 on the file of the Inspector of police, Usilampatti Town Police Station, Madurai District/the second respondent herein and pass orders in accordance with law on



CRL OP(MD). No.5011 of 2024

the same day on their surrender if any petition filed by the petitioners.

For Petitioner : Mr.A.Arputharaj
For Respondent : Mr.E.Antony Sahaya Prabahar
Nos.1&2 Additional Public Prosecutor

ORDER

The petitioner is the sole accused in crime No.116 of 2024 registered on the file of the Inspector of Police, Usilampatty Town Police Station, Madurai District., for the offences under Sections 294(b),506(i) of IPC and r/w Section 4 of TNPHW Act r/w 3(1)(r), 3(1)(s), 3(1)(w)(II) of SC/ST POA Act, 1989.

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



CRL OP(MD). No.5011 of 2024

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 petitioner to surrender within a period of two weeks from today before learned III Additional District and Sessions Judge (PCR), Madurai and the learned Presiding Officer of the Special Court is directed to entertain the bail application if any filed by this petitioner on the same day. The Public Prosecutor concerned is expected to be available in the Courts and the Public Prosecutor can very well get instructions with the available scientific modes.



CRL OP(MD). No.5011 of 2024

The bail application in any event shall be disposed on merits on the same day.

01.04.2024

Index: Yes/No

Internet : Yes/No

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To

- 1.The III Additional District and Sessions Court (PCR), Madurai
- 2.The Deputy Superintendent of Police,
Usilampatti, Madurai District.
- 3.The Inspector of Police,
Usilampatty Town Police Station,
Madurai District. Crime No. 116/2024.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CRL OP(MD). No.5011 of 2024

B.PUGALENDHI,J

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ORDER
IN
CRL OP(MD) No.5011 of 2024

Date : 01/04/2024