



Crl.O.P.(MD)No.5042 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 01.04.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

[Crl.O.P.\(MD\)No.5042 of 2024](#)

Ganesh @ Ganesh Pandiyan

Petitioner

Vs.

1.The Assistant Commissioner of Police,
Thillainagar Range,
Trichy City.

2.The Inspector of Police,
Woraiyur Police Station,
Trichy City,
Trichy.
(In Crime No.34 of 2024)

3.Guruprasath

...Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned I Additional District and Sessions Court(PCR Cases), Tiruchirappalli to consider the bail application of the petitioner concerned in Crime No.34 of 2024 on the file of the second respondent police and pass orders in accordance with law on the same day of his surrender, if any petition filed by the petitioner.



For Petitioner : Mr.S.Vikram
For R1 & R2 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

The petitioner is the fourth accused in Crime No.34 of 2024, dated 27.01.2024, registered on the file of the Inspector of Police, Woraiyur Police Station, for the offence under Sections 147, 148, 294b, 323, 324, & 307 of IPC @ 147, 148, 294(b), 323, 324 & 307 of IPC r/w 3(2)(v), 3(1)(r)(s) 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 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



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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 the learned I Additional District and Sessions Judge (PCR Cases), Tiruchirappalli 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 Court and the Public Prosecutor can very well get instructions with the available scientific modes. The bail application in any event shall be disposed on merits on the same day.

01.04.2024

NCC : Yes/No
Index : Yes/No
Internet:Yes
vrn



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- 1.The I Additional District and Sessions Court(PCR Cases),
Tiruchirappalli
- 2.The Assistant Commissioner of Police,
Thillainagar Range,
Trichy City.
- 3.The Inspector of Police,
Woraiyur Police Station,
Trichy City,
Trichy.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI,J

vrn

Order made in
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