



CRL OP(MD)No.5317 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 12.04.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD)No.5317 of 2024

Balamurugan

... Petitioner

Vs

1.The Deputy Superintendent of Police,
Kulithalai, Karur District.

2.The State rep by
The Inspector of Police,
Kulithalai Police Station,
Karur District.
In Crime No.178 of 2024

3.Ramakrishnan

4.Balakrishnan

5.Marimuthu

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Special Court for PCR Court Cases, Karur to accept the surrender and consider the bail petition to be filed by the petitioner in Crime No.178 of 2024 on the file of the second respondent Police on the same day on merits.



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For Petitioners : Mr.C.Ezhilarasu
For R1 & R2 : Mr.B.Thanga Aravindh,
Government Advocate(Crl.side)

ORDER

The petitioner is an accused in Crime No.178 of 2024 on the file of the second respondent police. The said case was registered for the offence under Sections 294(b), 323, 324, 506(ii) IPC and Section 3(1)(r), 3(1)(s) and 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

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.



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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 the Special Court for PCR Court Cases, Karur 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. The bail application in any event shall be disposed on merits on the same day.

12.04.2024

NCC : Yes/No
Index : Yes/No
Internet:Yes
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To

- 1.The Special Court for PCR Court Cases,
Karur.
- 2.The Deputy Superintendent of Police,
Kulithalai, Karur District.
- 3.The Inspector of Police,
Kulithalai Police Station,
Karur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI,J

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