



Crl.O.P.(MD)No.5171 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 03.04.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

[Crl.O.P.\(MD\)No.5171 of 2024](#)

1.Lakshmi @Muthulakshmi
2.Sangeetha

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Manamadurai Taluk,
Sivagangai District.

2.State Through
The Inspector of Police,
Tiruppachethi Police Station,
Sivagangai District.
Crime No.43 of 2024

3.Ramayee

...Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Special Judge for SC/ST (POA) Act Cases, Sivagangai, Sivagangai District to accept the surrender of the petitioners/Accused No.2 & 3 and consider their bail application on the same day in connection with Crime No.43 of 2024 on the file of the second respondent police.



CrI.O.P.(MD)No.5171 of 2024

For Petitioners
For Respondent

: Mr.K.C.Ramalingam
: Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

The petitioners are the accused Nos.2 & 3 in Crime No.43 of 2024 registered on the file of Tiruppachethi Police Station for the offences under Sections 294(b), 323, 506(i) of IPC and Section 3(1)(r), 3(1)(s), 3(2)(v) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) 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 petitioners claim that this case is a foisted one and they will prove their innocence. In view of the bar under Section 18 of the SC/ST (POA) Act, the petitioners are inclined to surrender before the Special Court concerned and to seek regular bail. However, the petitioners seek a direction for disposal of the bail application on the same day.



CrI.O.P.(MD)No.5171 of 2024

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 petitioners pray 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 petitioners to surrender within a period of two weeks from today before the learned Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, 1989, Sivagangai 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.

03.04.2024

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



Crl.O.P.(MD)No.5171 of 2024

To

WEB COPY

- 1.The Special Court for SC/ST (POA) Act Cases,
Sivagangai,
Sivagangai
- 2.The Deputy Superintendent of Police,
Manamadurai Taluk,
Sivagangai District.
- 3.The Inspector of Police,
Tiruppachethi Police Station,
Sivagangai District.
Crime No.43 of 2024
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.5171 of 2024

B.PUGALENDHI,J

vrn

Order made in
Crl.O.P.(MD)No.5171 of 2024

03.04.2024