



CRL OP(MD). No.5177 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 03.04.2024

PRESENT

THE HON'BLE MR.JUSTICE B.PUGALENDHI

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1.Vetrivel @ Adaikalam Vetri
2.Adaikalam @ Pandi Adaikalam Petitioners/Accused 1 & 2

Vs

1.The Deputy Superintendent of Police,
Aruppukkottai,
Virudhunagar District.

2.The Inspector of Police,
Aruppukkottai Taluk Police Station,
Virudhunagar District.
(Crime No.47 of 2024). Respondents/Complainants

3.Pandi Respondent/Defacto
 Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Special Court for Exclusive trial of cases under SC/ST (POA) Act, Srivilliputhur Virudhunagar to consider the bail application of the petitioners

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concerned in Crime No.47 of 2024 on the file of the Inspector of Police, Aruppukottai Taluk Police Station, Virudhunagar District/the second respondent.

For Petitioners	: Mr.M.ananthkumar
For Respondents	: Mr.E.Antony Sahaya Prabahar Additional Public Prosecutor

ORDER

The petitioner is an accused in Crime No.47 of 2024 on the file of the respondent police. The said case was registered for the offence under Sections 341, 294(b), 323, 355 and 506(i) of IPC r/w Section 3(1)(r), 3(1)(i), 3(1)(s) and 3(2)(va) of Scheduled Castes and Scheduled Tribes (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 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



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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 the Special Court for Exclusive trial of cases under SC/ST (POA) Act, Srivilliputhur Virudhunagar 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



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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

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To

- 1.The Special Court for Exclusive trial of cases under SC/ST (POA) Act, Srivilliputhur Virudhunagar
- 2.The Deputy Superintendent of Police,
Aruppukkottai,
Virudhunagar District.
- 3.The Inspector of Police,
Aruppukkottai Taluk Police Station,
Virudhunagar 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.5177 of 2024

03.04.2024