



CRL OP(MD). No.5162 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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Gurunathan

Petitioner/Accused No.4

Vs

1.The Deputy Superintendent of Police,
O/o Deputy Superintendent of Police,
Aruppukottai Sub Division,
Viruthunagar District.

Respondent/Investigation
Officer

2.The Sub Inspector of Police,
Aviyur Police Station,
Virudhunagar District.
(Crime No.37 of 2024).

Respondent/Complainant

3.Muneeswaran

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, Virudhunagar at Srivilliputhur pleased to accept the surrender of the petitioners and



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consider the petitioners bail application on the date of surrender itself in Crime No.37 of 2024 on the file of the second respondent police.

For Petitioners	: Mr.R.Venkatesan
For Respondents	: Mr.E.Antony Sahaya Prabahar Additional Public Prosecutor

ORDER

The petitioner is an accused in Crime No.37 of 2024 on the file of the respondent police. The said case was registered for the offence under Sections 341, 294(b), 323, 109 of IPC and Section 3(1)(r), 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, Virudhunagar at Srivilliputhur 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



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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, Virudhunagar at Srivilliputhur.
- 2.The Deputy Superintendent of Police,
O/o Deputy Superintendent of Police,
Aruppukottai Sub Division,
Viruthunagar District.
- 3.The Sub Inspector of Police,
Aviyur 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.5162 of 2024

03.04.2024