



CRL OP(MD)No.5211 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 04.04.2024

PRESENT

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD)No.5211 of 2024

Muthuramalingam

... Petitioner

Vs

1.The Deputy Superintendent of Police,
Thirumangalam,
Madurai District.

2.The Inspector of Police,
Koodakovil Police Station,
Madurai District.
(Crime No.16 of 2024)

3.Murugesan

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 3rd Additional District & Sessions Judge/Special Court of Exclusive Trial of Cases under SC/ST(POA)Act, 1989, Madurai to consider the petitioner's bail application on the same day of his surrender in Crime No.16 of 2024 on the file of the respondent Police.

For Petitioner

: Mr.S.Muniyandi

For R1 & R2

: Mr.P.Kottaichamy,
Government Advocate(Crl.side)



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ORDER

The petitioner is an accused in Crime No.16 of 2024 on the file of the respondent police. The said case was registered for the offence under Sections 294(b), 323, 427 IPC and Section 3(1)(r), 3(1)(s) and 3(2)(va) of Scheduled Castes and Scheduled Tribes (Amendment POA) 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.

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.

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4.Considering the facts and circumstances, the similar such orders passed by this Court, this petition is allowed with a direction to the petitioner to surrender within a period of two weeks from today before the 3rd Additional District & Sessions Judge/Special Court of Exclusive Trial of Cases under SC/ST(POA)Act, 1989, Madurai 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.

04.04.2024

NCC : Yes/No
Index : Yes/No
Internet:Yes
gns



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B.PUGALENDHI,J

gns

To

- 1.The 3rd Additional District & Sessions Judge/
Special Court of Exclusive Trial of Cases
under SC/ST(POA)Act, 1989, Madurai
- 2.The Deputy Superintendent of Police,
Thirumangalam, Madurai District.
- 3.The Inspector of Police,
Koodakovil Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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