



CRL OP(MD). No.5423 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 10.04.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.5423 of 2024

Vetriselvan

... Petitioner

Vs

1.The Deputy Superintendent of Police,
Pattukkottai,
Thanjavur District.

2.The State Rep. by
The Inspector of Police,
Madukkur Police Station,
Thanjavur District,
Trichy.
Crime No.67 of 2024

3.Muthu Manickam

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the I Additional District and Sessions Judge (PCR) Court to consider the bail application on the surrender of the petitioner on the same day in Crime No.67 of 2024 on the file of the respondent police on merits on the same day.



WEB COPY



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For Petitioners
For R-1 & R-2

: Mr.S.Deenadhayalan
: Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

The petitioners are accused in Crime No.67 of 2024 on the file of the second respondent police. The said case was registered for the offence under Sections 294(b), 355 and 506(i) of IPC and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2015.

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 claim that this case is a foisted one and he can 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 seek 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



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filed on the same day of their surrender and therefore, by relying upon the similar orders, the petitioner 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 petitioner to surrender within a period of two weeks from the date of receipt of a copy of this order before the learned Special Court for SC/ST (Prevention of Atrocities Act / 1st Additional District and Sessions Judge at Thanjavur, which, in turn, is directed to entertain the bail application if any filed by these 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.

10.04.2024

NCC : Yes/No
Index : Yes/No
Internet:Yes
jbr



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B.PUGALENDHI,J

jbr

To

- 1.The Special Court for SC/ST (Prevention of Atrocities Act
/ 1st Additional District and Sessions Judge at Thanjavur.
- 2.The Deputy Superintendent of Police,
Pattukkottai,
Thanjavur District.
- 3.The Inspector of Police,
Madukkur Police Station,
Thanjavur District,
Trichy.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
CrI.O.P.(MD)No.5423 of 2024

10.04.2024