



CrI.O.P.(MD) No.5606 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 17.04.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL.O.P (MD) No.5606 of 2024

1. E.Madasamy

2. K.Selvakumar

... Petitioners

Vs

1. The Deputy Superintendent Of Police,
Alangulam Sub Division,
Tenkasi District.

2. The Inspector of Police,
Alwarkurichi Police Station,
Tenkasi District.
Crime No.56 of 2024.

3. K.Ramadoss

4. Shanmugasundaram

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned II Additional District and Sessions Judge, (Special Court for PCR Act Cases), Tirunelveli to accept the surrender of the petitioners and consider their bail application on the same day on merits



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CrI.O.P.(MD) No.5606 of 2024

in relating to Crime no.56 of 2024, dated 04.04.2024

For Petitioners : Mr. M.Anandan

For Respondents : Mr. M.Sakthi Kumar
Government Advocate (CrI.Side)

ORDER

The petitioners are the accused in Crime No.56 of 2024 on the file of the respondent police. The said case was registered for the offence under Sections 147, 148, 294(b), 323, 324, 506(ii) IPC r/w Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and the 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 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.



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3.However, the learned Government Advocate (Crl.Side) submitted that in this case co-accused are still in custody. The petitioners are arrayed as A3 and A4 in this case. On considering the nature of injuries, the earlier petition filed by the petitioners was dismissed by this Court.

4.Considering the facts and circumstances of the case and the nature of injuries sustained by the injured, this Court is not inclined to allow the petition. Accordingly, this Criminal Original Petition stands dismissed.

17.04.2024

NCC : Yes/No
Internet:Yes/No
Index:Yes/No
PNM



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To

1. The II Additional District and Sessions Judge,
(Special Court for PCR Act Cases), Tirunelveli.

2. The Deputy Superintendent Of Police,
Alangulam Sub Division,
Tenkasi District.

3. The Inspector of Police,
Alwarkurichi Police Station,
Tenkasi District.
Crime No.56 of 2024.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

PNM

ORDER IN
CRL.O.P (MD) No.5606 of 2024

17.04.2024