



CRL OP(MD). No.5788 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 16.04.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.5788 of 2024

1.Jones
2.Palraj

Petitioners/A1 & A3

Vs

1.The State Rep. by
The Deputy Superintendent of Police,
Thiruverumbur, Trichy District.

2.The State Rep. by
The Inspector of Police,
All Women Police Station,
Thiruverumbur,
Trichy.
Crime No.15 of 2022

Respondents/Complainants

3.Sowmiya

3rd Respondent/Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the Special Court for SC/ST (Prevention of Atrocities Act / 1st Additional District and Sessions Judge at Trichy to consider the bail application on the surrender of the petitioners/A1 & A3 on the same day in Crime No.15 of 2022 on the file of the respondent



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police on merits on the same day.

WEB COPY

For Petitioners
For R-1 & R-2

: Mr.A.Joel Paul Antony
: Mr.P.Kottaichamy
Government Advocate (Crl. side)

ORDER

The petitioners are accused in Crime No.15 of 2022 on the file of the second respondent police. The said case was registered for the offence under Sections 498(A) and 406 of IPC and Sections 3(1)(r) and 3(1)(s) 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 petitioners claim that this case is a foisted one and they can 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.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 petitioners 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 petitioners 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 Trichy, which, in turn, is directed to entertain the bail application if any filed by these petitioners 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.

16.04.2024

NCC : Yes/No
Index : Yes/No
Internet:Yes
sjj

3/4



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B.PUGALENDHI,J

sjj

To

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

Order made in
CrI.O.P.(MD)No.5788 of 2024

16.04.2024