



CRL OP(MD). No.5708 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.5708 of 2024

1.Kumar @ Sivakumar
2.Kamaraj
3.Rajkumar @ Ponnuchamy
4.Pitchai Mani

Petitioners/A1 to A3 & A6

Vs

1.The State Rep. by
The Deputy Superintendent of Police,
Melur, Madurai District. 1st Respondent/Investigating Officer

2.The Inspector of Police,
Kottampatti Police Station,
Madurai District.
Crime No.111 of 2024 2nd Respondent/Complainant

3.C.Jeganathan 3rd Respondent/Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Additional District Court No.III for PCR Act Cases, Madurai to consider the bail application of the petitioners in connection with the FIR in Crime No.111 of 2024 on the file of the second respondent police on the very same day of the



CRL OP(MD). No.5708 of 2024

surrender of the petitioners and to enlarge the petitioners on bail on the very same day itself.

For Petitioners
For R-1 & R-2

: Mr.S.Jeyakarthik
: Mr.P.Kottaichamy
Government Advocate (Crl. side)

ORDER

The petitioners are accused in Crime No.111 of 2024 on the file of the second respondent police. The said case was registered for the offence under Sections 147, 294(b), 323 and 506(i) of IPC r/w Sections 3(1)(r) and 3(1)(s) 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 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.



CRL OP(MD). No.5708 of 2024

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 Additional District Court No.III for PCR Act Cases, Madurai, 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



WEB COPY



CRL OP(MD), No.5708 of 2024

B.PUGALENDHI,J

sjj

To

- 1.The Additional District Court No.III for PCR Act Cases, Madurai.
- 2.The Deputy Superintendent of Police,
Melur, Madurai District.
- 3.The Inspector of Police,
Kottampatti Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
CrI.O.P.(MD)No.5708 of 2024

16.04.2024