



Crl.O.P.(MD) No.5987 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 22.04.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL.O.P (MD) No.5987 of 2024

1. Kodeeswaran
2. Sokkumuthu
3. Gowtham
4. Madasamy

... Petitioners

Vs

1. The Deputy Superintendent Of Police,
Srivilliputhur Sub Division,
Virudhunagar District.
2. The Inspector of Police,
Vanniyapatti Vilakku Police Station,
Virudhunagar, Virudhunagar District
Cr No. 47/2024.

3. Mr.Muniyandi

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Special Sessions Judge, Srivilliputur (Special Court for Trial of Scheduled Caste and Scheduled Tribe Act cases) to



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consider the bail application of the petitioners on the same day of surrender in Crime no. 47/2024 on the file of the second respondent Police.

For Petitioners : Mr. R.Karunanidhi

For Respondents : Mr.E.Antony Sahaya Prabhakar(R1,2)
Additional Public Prosecutor

ORDER

The petitioners are the accused in Crime No.47 of 2024 on the file of the respondent police. The said case was registered for the offence under Sections 147, 323 and 506(ii) IPC & Sections 3(1)(r), 3(1)(s) and 3(2) (va) of 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 claims 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 applications 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 prays for similar directions.

4.Considering the facts and circumstances of the case, the injured has sustained only simple injuries and 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 today before learned ***Special Sessions Judge, (Special Court for Trial of Scheduled Caste and Scheduled Tribe Act cases), Srivilliputtur*** who in turn is directed to entertain the bail applications if any filed by the petitioners on the same of day. The Public Prosecutors are expected to be available in the Courts and the Public Prosecutors 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.



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6.This Criminal Original Petition is disposed of accordingly.

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NCC : Yes/No

Internet:Yes/No

Index:Yes/No

PNM

To

1.The Special Sessions Judge,
(Special Court for Trial of Scheduled Caste and
Scheduled Tribe Act cases), Srivilliputtur

2. The Deputy Superintendent Of Police,
Srivilliputhur Sub Division,
Virudhunagar District.

3. The Inspector of Police,
Vanniyapatti Vilakku Police Station,
Virudhunagar, Virudhunagar District
Cr No. 47/2024.

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



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B.PUGALENDHI, J.

PNM

ORDER IN
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