



CrI.O.P.(MD) No.6060 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.6060 of 2024

1. Parthiban @ Udhayakumar

2. Ranjithkumar

... Petitioners

Vs

1. The Deputy Superintendent Of Police,
Melur, Madurai District.

2. The Inspector of Police,
Kottampatti Police Station,
Madurai District. Cr.No.119/2024.

3. Raja

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to Direct the learned III Additional District and Sessions Judge (Special Court for PCR Act Cases) Madurai to accept the surrender and consider the bail application to be filed by the petitioner on the same day in Cr.No.119/2024 on the file of the second respondent Police.

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



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ORDER

The petitioners are the accused in Crime No.119 of 2024 on the file of the respondent police. The said case was registered for the offence under Sections 294(b), 324 and 506(ii) IPC r/w Sections 3(1)(r), 3(1)(s) 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.

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



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similar orders, the petitioners prays for similar directions.

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4.Considering the facts and circumstances of the case, the nature of political dispute between the parties 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 ***III Additional District and Sessions Judge (Special Court for PCR Act Cases) Madurai*** who in turn is directed to entertain the bail application 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.

5.This Criminal Original Petition is disposed of accordingly.

22.04.2024

NCC : Yes/No

Internet:Yes/No

Index:Yes/No

PNM

To

1.The III Additional District and Sessions Judge

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(Special Court for PCR Act Cases) Madurai

2. The Deputy Superintendent Of Police,
Melur, Madurai District.

3. The Inspector of Police,
Kottampatti Police Station,
Madurai District. Cr.No.119/2024.

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.6060 of 2024

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