



CrI.O.P.(MD) No.6099 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.6099 of 2024

Saran

... Petitioner

Vs

1. The State Represented by its
The Assistant Commissioner of Police,
Office of the Assistant Commissioner of Police,
Thillai Nagar, Trichy City.

2. The Inspector of Police,
Woraiyur Police Station,
Trichy City,
In (Crime No. 34 of 2024).

3. Guruprasath

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned 1st Additional and District and Sessions Judge (Specia court for PCR cases), Trichy to consider the bail application of the Petitioners on the same day of their surrender itself in Crime No. 34 of 2024 on the file of R2.

For Petitioner : Mr. D.S.Haroon Rasheed
For Respondents : Mr.E.Antony Sahaya Prabhakar(R1,2)
Additional Public Prosecutor



CrI.O.P.(MD) No.6099 of 2024

WEB COPY

ORDER

The petitioner is an accused in Crime No.34 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 and 307 IPC @ 147, 148, 294(b), 323, 324 and 307 IPC r/w Sections 3(2)(v), 3(1)(r)(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 petitioner claims that this case is a foisted one and he will prove his innocence. In view of the bar under Section 18 of the SC/ST (POA) Act, the petitioner is inclined to surrender before the Special Court concerned and to seek regular bail. However, the petitioner seeks a direction for disposal of the bail application 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 his surrender and therefore, by relying upon the



CrI.O.P.(MD) No.6099 of 2024

similar orders, the petitioner prays for similar directions.

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4.It is claimed that the petitioner is a college student. However, as per FIR, the overt act is attributed only against the accused Nos.1 to 3. Admittedly, the name of the petitioner is not found place in FIR.

5.Considering the facts and circumstances of the case and the similar such orders passed by this Court, this petition is disposed of with a direction to the petitioner to surrender within a period of ***two weeks*** from today before learned ***1st Additional and District and Sessions Judge (Specia court for PCR cases), Trichy*** who in turn is directed to entertain the bail application if any filed by this petitioner 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.



Crl.O.P.(MD) No.6099 of 2024

6.This Criminal Original Petition is disposed of accordingly.

WEB COPY

22.04.2024

NCC : Yes/No

Internet:Yes/No

Index:Yes/No

PNM

To

1.The 1st Additional and District and Sessions Judge
(Special court for PCR cases), Trichy

2.The Assistant Commissioner of Police,
Office of the Assistant Commissioner of Police,
Thillai Nagar, Trichy City.

3. The Inspector of Police,
Woraiyur Police Station,
Trichy City,
In (Crime No. 34 of 2024).

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



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Crl.O.P.(MD) No.6099 of 2024

B.PUGALENDHI, J.

PNM

ORDER IN
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