



CrI.O.P.(MD) No.6531 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 29.04.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL.O.P (MD) No.6531 of 2024

A.Sarumathi

... Petitioner

Vs

1. The Deputy Superintendent Of Police,
Thiruverumpur, Trichy District.

2. The Inspector of Police,
Thuvakudi Police Station,
Trichy District. Cr.No.77/2024.

3. Mariammal

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Special Judge, Special Court for PCR Cases Trichy Trichy District to consider the petitioner bail application on the same day of her surrender in Cr.No.77/2024 pending on the file of the R2.

For Petitioner : Mr. I.Velpradeep

For Respondents : Mr.P.Kottai Chamy

Government Advocate (CrI.Side)



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ORDER

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The petitioner is an accused in Crime No.77 of 2024 on the file of the respondent police. The said case was registered for the offence under Sections 353, 506(i) IPC and Sections 3(1)(r), 3(1)(s), 3(2)(va) of the 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 she will prove her 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. The learned counsel for the petitioner submitted that the petitioner is an Advocate and also the Councillor for the 9th Ward, Chedimalai Murugan Kovil Booth. In her ward, the name of 69 voters have been unnecessarily removed by the defacto complainant, which was



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questioned by the petitioner and raised the issue before the Chairman of the Panchayat, for which, the case has been foisted through the defacto complainant.

4.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 petitioner prays for similar directions.

5.Considering the nature of offence and facts and circumstances of the case, 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 the date of receipt of copy of this order before learned ***Special Judge, Special Court for PCR Cases Trichy Trichy District***, 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 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.



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6.This Criminal Original Petition is disposed of accordingly.

29.04.2024

NCC : Yes/No

Internet: Yes/No

Index: Yes/No

Note: Issue order copy on 02.05.2024

PNM

To

1.The Special Judge, Special Court for PCR Cases Trichy Trichy District

2. The Deputy Superintendent Of Police,
Thiruverumpur, Trichy District.

3. The Inspector of Police,
Thuvakudi Police Station,
Trichy District. Cr.No.77/2024.

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.6531 of 2024

29.04.2024