



CRL OP(MD). No.6471 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 26.04.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.6471 of 2024

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Petitioner/A1

Vs

1.The Deputy Superintendent of Police,
Aranthangi Sub Division,
Pudukottai District.

2.The State Rep. by
The Inspector of Police,
Avudaiyarkovil Police Station,
Pudukottai District.
Crime No.52 of 2024

1st and 2nd Respondents/Complainants

3.Vigneshwaran

3rd Respondent/Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Principal and District Sessions Judge (Special Judge for PCR Cases), Pudukottai to consider and dispose of the bail application of the petitioner/Accused No.1 on the same day of surrender in Crime No.52 of 2024 on the file of the second respondent.



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For Petitioner
For R-1 & R-2

: M/s.P.Sheela
: Mr.P.Kottaichamy
Government Advocate (Crl. side)

ORDER

The petitioner is an accused in Crime No.52 of 2024 on the file of the second respondent police. The said case was registered for the offence under Sections 147, 294(b) and 506(i) of IPC r/w Sections 3(1)(r), 3(1)(s) and 3(2)(va) 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 petitioner claims that this case is a foisted one and he can 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



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filed on the same day of his surrender and therefore, by relying upon the similar orders, the petitioner prays 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 petitioner to surrender within a period of two weeks from the date of receipt of a copy of this order before the learned Principal and District Sessions Judge (Special Judge for PCR Cases), Pudukottai, which, in turn, is directed to entertain the bail application if any filed by the petitioner 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.

26.04.2024

NCC : Yes/No

Index : Yes/No

Internet:Yes

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Note: Issue order copy on 30.04.2024.



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B.PUGALENDHI,J

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To

- 1.The Principal and District Sessions Judge
(Special Judge for PCR Cases), Pudukottai.
- 2.The Deputy Superintendent of Police,
Aranthangi Sub Division,
Pudukottai District.
- 3.The Inspector of Police,
Avudaiyarkovil Police Station,
Pudukottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
CrI.O.P.(MD)No.6471 of 2024

26.04.2024