



CrI.O.P.(MD) No.6588 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.6588 of 2024

1. Agilan

2. Radhakrishnan

... Petitioners

Vs

1. The Deputy Superintendent Of Police,
Thiruverumbur Range,
Navalpattu Police Station, Trichy District.

2. The Sub Inspector of Police,
Navalpattu Police Station, Trichy District.
Crime No.29 of 2024.

3. K.Saravanan

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Principal District and sessions Judge (PCR Cases), Trichy District to accept the surrender of the petitioners and consider their bail application on the same day on merits in relating to Crime No.29/2024, dated 27.02.2024.

For Petitioners : Mr. S.Saravana Kumar

For Respondents : Mr. M.Sakthi Kumar
Government Advocate (CrI.Side)



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ORDER

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The petitioners are the accused in Crime No.29 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) and 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 petitioners claim 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 application on the same day. Further, the learned counsel for the petitioner also relied upon the order of this Court in Crl.O.P(MD) No.3705 of 2024 pertains to the first accused.



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3.However, the learned Government Advocate (CrI.Side) submitted that on the day of occurrence, the defacto complainant went to a hotel to have food. At that time, the accused persons were in a drunken mood and assaulted the victim, who sustained head injuries with 8 stitches.

4.The submission made by the learned Government Advocate (CrI.Side) has not been raised at the time of considering the petition filed by the first accused in CrI.O.P(MD) No.3705 of 2024. Moreover, it is reported that though the order was passed on 05.04.2024, the first accused has not yet surrendered before the concerned Court within the stipulated time.

5.Considering the facts and circumstances of the case, the manner in which, the occurrence took place and also the allegations as against the petitioner, this Court is not inclined to allow the petition. Accordingly, this Criminal Original Petition stands dismissed.

29.04.2024

NCC : Yes/No
Internet:Yes/No
Index:Yes/No
PNM

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To

1. The Deputy Superintendent Of Police,
Thiruverumbur Range,
Navalpattu Police Station, Trichy District.

2. The Sub Inspector of Police,
Navalpattu Police Station, Trichy District.
Crime No.29 of 2024.

3. 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.6588 of 2024

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