



CrI.O.P.(MD) No.6638 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 30.04.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL.O.P (MD) No.6638 of 2024

Krishnan @ Kittu,

... Petitioner

Vs

1. The Superintendent of Police,
O/o.The Superintendent of Police,
Madurai.

2. The Inspector of Police,,
Alanganallur Police Station,
Madurai District.
Cr No.118/2024.

3. Ponmuthu,

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Principal District and Sessions Judge, Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Madurai District to accept the surrender of the petitioner and consider the petitioner's bail application and grant bail on the date of surrender itself in Crime No.118 of 2024, on the file of the respondent.



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For Petitioner : Ms.D.Saranya

For R1 & R2 : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

ORDER

The petitioner is an accused in Crime No.118 **of 2024** on the file of the respondent police. The said case was registered for the offence under Sections 294(b), 323 and 506(1) of IPC, Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 r/w Section 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Caste 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.



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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 similar orders, the petitioner prays for similar directions.

4.Considering the 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 from the date of receipt of a copy of this order, before the learned Principal District and Sessions Judge, Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Madurai 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 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.



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5.This Criminal Original Petition is disposed of accordingly.

30.04.2024

NCC : Yes/No

Internet:Yes/No

Index:Yes/No

LR

Note: Issue order copy on 02.05.2024

To

1.The Principal District and Sessions Judge,
Special Court for Scheduled Castes and
Scheduled Tribes (Prevention of
Atrocities) Act, 1989,
Madurai District.

2. The Superintendent of Police,
O/o.The Superintendent of Police,
Madurai.

3. The Inspector of Police,,
Alanganallur Police Station,
Madurai District.

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



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B.PUGALENDHI, J.

LR

ORDER IN
CRL.O.P (MD) No.6638 of 2024

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