



CRL OP(MD). No.8140 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 05.06.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.8140 of 2024

1.Anthony Dass
2.Liyo @ Liyo Raj
3.Vincent Mary

... Petitioners/A1 to A3

Vs

1.The Deputy Superintendent of Police,
Thirumayam Police Station Division,
Pudukkottai District.

2.The Inspector of Police,
Thirumayam Police Station,
Pudukkottai District.
Crime No.74 of 2024

3.Veni

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the Special Court for Exclusive Trial of SC/ST (POA) Act Cases, Pudukkottai to consider the bail application filed by the petitioners on the same day of their surrender in connection with Crime No.74 of 2024 on the file of the second respondent.



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For Petitioners	: Mr.A.Arun Prasad
For R-1 & R-2	: Mr.P.Kottaichamy Government Advocate (Crl. side)
For R3	: Mr.J.Jeyaram

ORDER

The petitioners are the accused in Crime No.74 of 2024 on the file of the second respondent police. The said case was registered for the offence under Sections 294(b) and 323 of IPC r/w Section 4 of Women Harassment Act and Section 3(1)(r) and 3(2)(va) of SC/ST (POA) Amendment Act, 2015.

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 can 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.

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 their surrender and therefore, by relying upon the similar orders, the petitioners pray 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 petitioners to surrender within a period of two weeks from the date of receipt of a copy of this order before the learned Special Court for Exclusive Trial of SC/ST (POA) Act Cases, Pudukkottai, which, in turn, is directed to entertain the bail application if any filed by the petitioners 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.

05.06.2024

NCC : Yes/No

Index : Yes/No

Internet:Yes

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Note: Issue order copy on 06.06.2024.



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B.PUGALENDHI,J

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To

- 1.The Special Court for Exclusive Trial of SC/ST (POA) Act Cases,
Pudukkottai.
- 2.The Deputy Superintendent of Police,
Thirumayam Police Station Division,
Pudukkottai District.
- 3.The Inspector of Police,
Thirumayam Police Station,
Pudukkottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
CrL.O.P.(MD)No.8140 of 2024

05.06.2024