



CRL OP(MD). No.8215 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 06.06.2024

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THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.8215 of 2024

Mari Raja @ Mari

... Petitioner/A3

versus

1. The State Rep. by
The Deputy Superintendent of Police,
Tenkasi,
Tenkasi District.

2. The Inspector of Police,
Kuruvikulam Police Station,
Tenkasi District.

3. Dinesh

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the Special Court for Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act, II Additional Sessions Judge (PCR), Principal District District and Sessions Judge, Tirunelveli, Tirunelveli District to accept the surrender of the petitioner and consider his bail application on merits on the same day itself in Cr.No.39/2024, on the file of the Inspector of Police, Kuruvikulam Police Station, Tenkasi District, for the offence under Sections 147, 294(b), 323, 324, 506(2) IPC



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r/w. Sections 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST (POA) Act.

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For Petitioner	: Mr.J.Senthilkumar
For R1 and R2	: Mr.M.Sakthi Kumar, Government Advocate (Crl. side)

ORDER

The petitioner is the accused in Crime No.39 of 2024 on the file of the 2nd respondent. The said case was registered for the offence under Sections 147, 294(b), 323, 324, 506(2) IPC r/w. Sections 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST (POA) Act.

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.



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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, 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 II Additional District and Sessions Judge (PCR), Tirunelveli, 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.

06.06.2024

NCC : Yes/No
Index : Yes/No
Internet:Yes
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Note: Issue order copy on 07.06.2024.

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B.PUGALENDHI,J

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To

1. The learned II Additional District and
Sessions Judge (PCR Court),
Tirunelveli.
2. The Deputy Superintendent of Police,
Tenkasi,
Tenkasi District.
3. The Inspector of Police,
Kuruvikulam Police Station,
Tenkasi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.8215 of 2024

06.06.2024