



CRL OP(MD). No.8474 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 11.06.2024

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THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.8474 of 2024

Jawahar Sathik Batsha @
Jawahar Ali Batsha

... Petitioner/Sole
Accused

versus

1. The Deputy Superintendent of Police,
Peraiyur,
Madurai District.

2. The Inspector of Police,
Peraiyur Police Station,
Madurai District.

3. Ganesan

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned III Additional District Judge (PCR Court), Madurai to accept the surrender of the petitioner and consider his bail application on the same day in connection with Crime No.137 of 2024 on the file of the 2nd respondent Police.

For Petitioner : Mr.J.Senthil Kumaraiah



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For R1 and R2 : Mr.B.Thanga Aravindh,
Government Advocate (Crl. side)

ORDER

The petitioner is the accused in Crime No.137 of 2024 on the file of the 2nd respondent Police. The said case was registered for the offence under Section 294(b) IPC r/w. Sections 3(1)(r), 3(1)(s) 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 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 filed on the same day of their surrender and therefore, by relying upon



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the similar orders, the petitioner prays for similar directions.

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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 III Additional District Judge (PCR Court), Madurai, 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.

11.06.2024

NCC : Yes/No

Index : Yes/No

Internet:Yes

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Note: Issue order copy on 12.06.2024.



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B.PUGALENDHI,J

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To

1. The learned III Additional District Judge
(PCR Court),
Madurai.
2. The Deputy Superintendent of Police,
Peraiyur,
Madurai District.
3. The Inspector of Police,
Peraiyur Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.8474 of 2024

11.06.2024