



CRL OP(MD). No.8608 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 13.06.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.8608 of 2024

1.T.Veeramani
2.K.Prabhu
3.S.Manikandan @ Korada Mani
4.S.Manikandan @ Vishal ... Petitioners/A1 to A4

Vs

1.The Deputy Superintendent of Police,
Vallam Sub-Division,
Vallam, Thanjavur District.

2.The Inspector of Police,
Vallam Police Station,
Vallam, Thanjavur District.
Crime No.288 of 2024

3.Vignesh ... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Sessions Judge, Special Court for SC/ST (POA) Act/1st Additional District Court (PCR), Thanjavur to consider the bail application of the petitioners on the same day of their surrender in Crime No.288 of 2024 on the file of the respondents police 1 and 2.

1/5



CRL OP(MD). No.8608 of 2024

For Petitioners
For R-1 & R-2

: Mr.N.Pragalathan
: Mr.P.Kottaichamy
Government Advocate (Crl. side)

ORDER

The petitioners are the accused in Crime No.288 of 2024 on the file of the second respondent police. The said case was registered for the offence under Sections 294(b), 342, 324 and 506(2) of IPC and Section 3(1)(r), 3(1)(s) and 3(2)(va) of Schedule Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

2.The learned Government Advocate (Crl. side) submits that the petitioners 1 and 3/A1 and A3 are having one previous case of similar in nature.

3.Considering the objections raised by the learned Government Advocate (Crl. side), this petition is dismissed in respect of the petitioners 1 and 3 and insofar as the petitioners 2 and 4, this petition is allowed. The petitioners 1 and 3 are directed to surrender before the concerned Court and move an application for regular bail.



CRL OP(MD), No.8608 of 2024

4. 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 2 and 4 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 2 and 4 are inclined to surrender before the Special Court concerned and to seek regular bail. However, the petitioners 2 and 4 seek a direction for disposal of the bail application on the same day.

5. 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 petitioners 2 and 4 pray for similar directions.

6. Considering the facts and circumstances, the similar such orders passed by this Court, this petition is disposed of with a direction to the petitioners 2 and 4 to surrender within a period of two weeks from the date of receipt of a copy of this order before the learned Sessions Judge, Special Court for SC/ST (POA) Act/1st Additional District Court (PCR), Thanjavur, which, in turn, is directed to entertain the bail application if



CRL OP(MD). No.8608 of 2024

any filed by the petitioners 2 and 4 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.

13.06.2024

NCC : Yes/No

Index : Yes/No

Internet: Yes

sjj

Note: Issue order copy on 18.06.2024.

To

- 1.The Sessions Judge, Special Court for SC/ST (POA) Act
/1st Additional District Court (PCR), Thanjavur.
- 2.The Deputy Superintendent of Police,
Vallam Sub-Division,
Vallam, Thanjavur District.
- 3.The Inspector of Police,
Vallam Police Station,
Vallam, Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

4/5



WEB COPY



CRL OP(MD). No.8608 of 2024

B.PUGALENDHI,J

sjj

Order made in
CrI.O.P.(MD)No.8608 of 2024

13.06.2024