



CrI.O.P.(MD)No.8850 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.06.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI.O.P.(MD)No.8850 of 2024

1.Raja
2.Ranjith @ Ranjith Kumar
3.Hanci @ Cansee
4.Tamilselvi ... Petitioners / A1 to A4

Vs.

1. The Deputy Superintendent of Police,
Sathankulam Sub Division, Tuticorin District.

2.The State
Rep.by the Inspector of Police
Nazareth Police Station,
Tuticorin District. Cr No. 83/2024

3. Abarna Priyadharsini ... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Sessions Judge, Special Court for Trial cases under SC/ST (PoA) Act, Thoothukudi, to accept the surrender of the petitioners and consider their bail application on the same day on merits in relating to Crime No.83 of 2024 dated 30.05.2024 on the file of the respondent police.

For Petitioners	: Mr.R.Mathavaselvam
For R1 & 2	: Mr.P.Kottai Chamy Government Advocate (CrI.Side)



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ORDER

The petitioners have filed this Petition to direct the Sessions Judge, Special Court for Trial cases under SC/ST (PoA) Act, Thoothukudi,, to consider the bail application of the petitioners in Crime No.83 of 2024 on the file of the respondent police on the date of surrender itself.

2. The case of the prosecution is that there is an inter-caste marriage between the petitioners and the defacto complainant, due to matrimonial dispute, the petitioners demanded additional dowry and abused the defacto complainant in filthy language and her caste name and also threatened her with dire consequences. Based on the complaint of the defacto complainant, a case in Crime No.83 of 2024, for the offence under Sections 294(b), 324, 506(ii) and 498(A) I.P.C r/w. Sections 3(1)(r), 3 (1)s) and 3 (2) (va) of Scheduled Caste and the Schedule Tribes (Prevention of Atrocities) Amendment Act, 2015, was registered against the petitioners.

3. The learned Government Advocate (Criminal Side) submits that the first petitioner and the defacto complainant are husband and wife and there was inter-caste marriage between them. He further submits that no one is injured in this case and the petitioners are not having any previous case.



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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 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.

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 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 petitioner to surrender within a period of two weeks from the date of receipt of a copy of this order before the Sessions Judge, Special Court for Trial cases under SC/ST (PoA) Act, Thoothukudi, 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



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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.

Index : Yes/No

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NCC : Yes/No

LS

Note: Issue order copy on **21.06.2024**

To

- 1.The Sessions Judge,
Special Court for Trial cases under SC/ST (PoA) Act,
Thoothukudi,
2. The Deputy Superintendent of Police,
Sathankulam Sub Division,
Tuticorin District.
- 3.The Inspector of Police
Nazareth Police Station,
Tuticorin District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI,J.

LS

Order made in
Crl.O.P.(MD)No.8850 of 2024

19.06.2024