



CrI.O.P.(MD)No.8824 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 19.06.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI.O.P.(MD)No.8824 of 2024

1.Poopathi
2.Ayyappan

... Petitioners / A3 & A4

Vs.

1. The State Rep. By its

The Deputy Superintendent of Police,
Officer of the Deputy Superintendent of Police,
Kulithalai, Karur District.

2.The Inspector of Police

Kulithalai Police Station,
Karur District. Cr No. 290/2024

3. Pradeep

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Principal District and Sessions Judge (Special Court for PCR Cases), Karur, to consider the bail application of the petitioners on the same day of their surrender itself in Crime No.290 of 2024 on the file of the 2nd respondent police.

For Petitioners

: Mr.D.S.Haroon Rasheed

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 Principal District and Sessions Judge (Special Court for PCR Cases), Karur, to consider the bail application of the petitioners in Crime No.290 of 2024 on the file of the respondent police on the date of surrender itself.

2. The case of the prosecution is that during the temple festival there was a dispute arose between the petitioners and the defacto complainant, due to which, the petitioners abused the defacto complainant in filthy language and assaulted with criminal intimidation. Based on the complaint of the defacto complainant, a case in Crime No.290 of 2024, for the offence under Sections 294(b), 285, 323, and 506(i) 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, was registered against the petitioners.

3. The learned Government Advocate (Criminal Side) submits that injured in this case sustained simple injury and was discharged from the hospital 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 Principal District and Sessions Judge (Special Court for PCR Cases), Karur, 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 Principal District and Sessions Judge
(Special Court for PCR Cases),
Karur,
2. The Deputy Superintendent of Police,
Officer of the Deputy Superintendent of Police,
Kulithalai, Karur District.
- 3.The Inspector of Police
Kulithalai Police Station,
Karur 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.8824 of 2024

19.06.2024