



CrI.O.P.(MD)No.8889 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.8889 of 2024

P.Govindarajan

... Petitioner

Vs.

1. The Deputy Superintendent of Police,
Thuvakudi, Trichy District.

2.The Sub Inspector of Police
Thuvakudi Police Station, Trichy,
Trichy District. Cr No. 126/2024

3. M.Viswanathan

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned District Principal Additional Sessions Judge PCR Court, Trichy, to accept the surrender of the petitioner and consider this bail application on the same day in connection with Crime No. 126 of 2024 on the file of the respondent police.

For Petitioner

: Mr.G.Mathavan

For R1 & 2

: Mr.P.Kottai Chamy
Government Advocate (CrI.Side)



Crl.O.P.(MD)No.8889 of 2024

ORDER

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The petitioner has filed this Petition to direct the District Principal Additional Sessions Judge PCR Court, Trichy, to consider the bail application of the petitioner in Crime No.126 of 2024 on the file of the respondent police on the date of surrender itself.

2. The case of the prosecution is that the petitioner and the defacto complainant are working in same place. On the dispute between the members in Association, the petitioner has abused the defacto complainant in disgusting words by using her caste name. Based on the complaint of the defacto complainant, a case in Crime No.126 of 2024, for the offence under Section 3 (i) (r) of Scheduled Caste and the Schedule Tribes (Prevention of Atrocities) Amendment Act, 2015, was registered against the petitioner.

3. The learned Government Advocate (Criminal Side) submits that no one is injured in this case and the petitioner is not having any previous case.

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 petitioner claim that this case is a foisted one and he can prove their innocence. In view of the bar under Section 18 of the SC/ST (POA) Act, the



CrI.O.P.(MD)No.8889 of 2024

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.

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 petitioner prays 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 District Principal Additional Sessions Judge PCR Court, Trichy, 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.

Index : Yes/No

NCC : Yes/No

LS

19.06.2024

Note: Issue order copy on **21.06.2024**

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CrI.O.P.(MD)No.8889 of 2024

B.PUGALENDHI,J

LS

To

- 1.The District Principal Additional Sessions Judge PCR Court,
Trichy.
2. The Deputy Superintendent of Police,
Thuvakudi, Trichy District.
- 3.The Sub Inspector of Police
Thuvakudi Police Station, Trichy,
Trichy District
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
CrI.O.P.(MD)No.8889 of 2024

19.06.2024