



CRL OP(MD). No.9119 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 24.06.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.9119 of 2024

S.Jeyapal

... Petitioner

Vs

1.The Deputy Superintendent of Police,
Virudhunagar,
Virudhunagar District.

2.The Inspector of Police,
Amathur Police Station,
Virudhunagar District,
Trichy.
Crime No.137 of 2024

3.M.Karuppasamy

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the Special Court for SC/ST (POA) Act cases, Srivilliputhur, to consider the bail application on the surrender of the petitioner on the same day in Crime No.137 of 2024 on the file of the second respondent police on merits on the same day.



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For Petitioner
For R-1 & R-2

: Mr.S.Ponsaravanan
: Mr.P.Kottai Chamy
Government Advocate (Crl. side)

ORDER

The petitioner is accused in Crime No.137 of 2024 on the file of the second respondent police. The said case was registered for the offence under Sections 147, 294(b), 324, 506(ii) of IPC and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) 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 claim 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 seek 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



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filed on the same day of their surrender and therefore, by relying upon the similar orders, the petitioner pray for similar directions.

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 Special Court for SC/ST (Prevention of Atrocities) Act at Srivilliputhur, which, in turn, is directed to entertain the bail application if any filed by these 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.

24.06.2024

NCC : Yes/No
Index : Yes/No
Internet:Yes
jbr



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B.PUGALENDHI,J

jbr

To

- 1.The Special Court for SC/ST (Prevention of Atrocities) Act
Srivilliputhur.
- 2.The Deputy Superintendent of Police,
Virudhunagar,
Virudhunagar District.
- 3.The Inspector of Police,
Amathur Police Station,
Virudhunagar District,
Trichy.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
CrI.O.P.(MD)No.9119 of 2024

24.06.2024