



CRL OP(MD). No.9318 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 26.06.2024

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THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.9318 of 2024

Maicalraj @ Antony Michaelraj

... Petitioner/A4

versus

1. The State Rep. by its
The Deputy Superintendent of Police,
Papanasam,
Thanjavur District.

2. The Inspector of Police,
Ayyampettai Police Station,
Thanjavur District.

3. Dinagarajan

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the I Additional District and Sessions Court (PCR) Court, Thanjavur District, to consider the bail application of the petitioner on the same day of his surrender itself in Crime No.131 of 2024 on the file of the 2nd respondent Police.

For Petitioner : Mr.T.Indrachithu

For R1 and R2 : Mr.P.Kottaichamy
Government Advocate (Crl. side)



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ORDER

The petitioner is the accused in Crime No.131 of 2024 on the file of the 2nd respondent Police. The said case was registered for the offence under Sections 294(b), 341, 342, 365, 323, 324, 506(ii) IPC r/w. Section 3(2)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment 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 claims 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 seeks 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 filed on the same day of their surrender and therefore, by relying upon the similar orders, the petitioner prays for similar directions.



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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 I Additional District and Sessions Court (PCR Court), Thanjavur, 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.

26.06.2024

NCC : Yes/No

Index : Yes/No

Internet: Yes

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Note: Issue order copy on 28.06.2024

To

1. The I Additional District and Sessions Court (PCR Court),
Trichy.
2. The Deputy Superintendent of Police,
Papanasam,
Thanjavur District.

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3. The Inspector of Police,
Ayyampettai Police Station,
Thanjavur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
CrI.O.P.(MD)No.9318 of 2024

26.06.2024