



CrI.O.P.(MD) No.9630 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 02.07.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL.O.P (MD) No.9630 of 2024

Edward Raj

... Petitioner

Vs

1. The Deputy Superintendent Of Police,
Ambasamudram Sub Division,
Tirunelveli District.

2. State represented by
The Inspector of Police,
V.K.Puram Police Station,
Tirunelveli District.
Crime No.323 of 2024.

3. Arun Ganesh,

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C,
praying to direct the learned II-Additional District Sessions Judge (PCR),
Tirunelveli to consider the Bail Application of the Petitioner/Accused No.2



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in Crime No.323 of 2024 on the file of the Respondent Police on the same day of surrender on merits.

For Petitioner : Mr.H.Elango

For R1 & R2 : Mr.P.Kottai Chamy
Government Advocate (Crl.Side)

ORDER

The petitioner is an accused in Crime No.323 of 2024 on the file of the respondent police. The said case was registered for the offence under Sections 294(b), 324 and 506(ii) IPC r/w Section of TNPHW Act and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Caste and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

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 will prove his innocence. In view of the bar under Section 18 of the SC/ST (POA) Act,



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the petitioner is inclined to surrender before the Sessions 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.

4.Considering the facts and circumstances of the case and that the main overt act is against the first accused, 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 from the date of receipt of a copy of this order, before the learned ***II-Additional District Sessions Judge (PCR), Tirunelveli***, who in turn is directed to entertain the bail application if any filed by this petitioner on the same of day. The Public Prosecutors are expected to be available in the Courts and the Public Prosecutors 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.



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5.This Criminal Original Petition is disposed of accordingly.

02.07.2024

NCC : Yes/No
Internet:Yes/No
Index:Yes/No
LR

To

1.The I-Additional District Sessions Judge (PCR),
Tirunelveli.

2. The Deputy Superintendent Of Police,
Ambasamudram Sub Division,
Tirunelveli District.

3. The Inspector of Police,
V.K.Puram Police Station,
Tirunelveli District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

LR

ORDER IN
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