



CRL OP(MD). No.9592 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 01.07.2024

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THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.9592 of 2024

Manikam

... Petitioner/A3

versus

1. State represented by its
The Deputy Superintendent of Police,
Kulithalai,
Karur District.

2. The Inspector of Police,
Mayanoor Police Station,
Karur District.

3. Premkumar

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Principal District and Sessions Judge, Karur (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act) to consider the bail application of the petitioner/3rd accused on the same day of his surrender before the Court in connection with Crime No.250 of 2024 on the file of the 2nd respondent.

For Petitioner : Mr.V.Nagarajan
For R1 and R2 : Mr.M.Sakthi Kumar
Government Advocate (Crl. side)



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ORDER

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The petitioner is the accused No.3 in Crime No.250 of 2024 on the file of the 2nd respondent Police. The said case was registered for the offence under Sections 294(b), 324, 435, 506(ii) IPC and Sections 3(1)(r), 3(1)(s), 3(2)(III) & 3(2)(Va) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 1989. Therefore, the petitioner has moved this petition seeking a direction to the learned Principal District and Sessions Judge, Karur, to consider his bail petition on the date of surrender.

2. The learned counsel appearing for the petitioner submits that it is a case in counter. In fact, the defacto complainant and his friends are the real aggressors, however, this case has been foisted against the petitioner. He further submits that in the alleged occurrence, the petitioner has also sustained head injury. He further submits that Section 18 of the SC/ST (POA) Act prohibits grant of anticipatory bail in the cases registered under the SC/ST (POA) Act. 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.



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Therefore, the petitioner seeks a direction for disposal of the bail application on the same day.

3. The learned Government Advocate (Crl. Sides) has also confirmed the said submission.

4. Considering the facts and circumstances of the case, 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 Principal District and Sessions Judge, Karur, who, 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.

01.07.2024

Index : Yes / No.

Internet: Yes / No.

NCC : Yes/No.

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Note: Issue order copy on 03.07.2024



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B.PUGALENDHI, J.

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To

1. The learned Principal District and Sessions Court,
Karur.
2. The Deputy Superintendent of Police,
Kulithalai,
Karur District.
3. The Inspector of Police,
Mayanoor Police Station,
Karur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.9592 of 2024

01.07.2024