



Crl.O.P.(MD) No.9657 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.07.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL.O.P (MD) No.9657 of 2024

Balamurali

... Petitioner

Vs

- 1. The Deputy Superintendent of Police,
Madurai, Madurai District.**
- 2. The Inspector of Police,
Alanganallur Police Station, Madurai District.**
- 3. Manikandan**

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned 3rd Additional District and Sessions Judge, Special Court for Scheduled Caste and Scheduled Tribes (Prevention of Atrocities Amendment) Act, 1989 (PCR Cases), Madurai to consider the Bail application of the petitioner.

For Petitioner : Mr. Maheswaran R

**For R1 : Mr.P.Kottaichamy
Government Advocate (Crl.Side)**



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ORDER

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The petitioner is an accused in Crime No.29 of 2024 on the file of the respondent police. The said case was registered for the offence under Sections 147, 148, 294(b) and 324 IPC r/w Section 3(1)(r), 3(1)(s) & 3(2) (va) of Scheduled Castes and 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, 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



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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 3rd Additional District and Sessions Judge, Special Court for Scheduled Caste and Scheduled Tribes (Prevention of Atrocities Amendment) Act, 1989 (PCR Cases), Madurai and the learned Presiding Officer of the Special Court is directed to entertain the bail application if any filed by this petitioner on the same day. The Public Prosecutor concerned is expected to be available in the Court 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.

04.07.2024

NCC : Yes/No
Internet: Yes/No
Index: Yes/No
PNM



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To

1. The 3rd Additional District and Sessions Judge,
Special Court for Scheduled Caste and Scheduled Tribes
(Prevention of Atrocities Amendment) Act, 1989 (PCR Cases), Madurai
2. The Deputy Superintendent of Police,
Madurai, Madurai District.
3. The Inspector of Police,
Alanganallur Police Station, Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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