



CrI.O.P.(MD) No.9734 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 03.07.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL.O.P (MD) No.9734 of 2024

Karthik @ Karthigaiselvan

... Petitioner

Vs

1. The Deputy Superintendent Of Police,
Aruppukkottai Sub Division,
Virudhunagar District.

2. The Inspector of Police,
Mallanginar Police Station,
Virudhunagar District.
(Crime No 13 of 2024).

3. Prasanth
4. Chandru

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned District Sessions (SC/ST) Special Court(PCR), Srivilliputhur to consider of the bail application on the surrender of the Petitioner/Accused No 1 in connection with case in Crime No 13 of 2024 dated 16.01.2024 pending investigation on the file of the second respondent police on merits on the same day.



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For Petitioner : Mr.A.Karthigaivel

For Respondents : Mr.P.Kottai Chamy
Government Advocate (Crl.Side)

ORDER

The petitioner is an accused in Crime No.13 of 2024 on the file of the respondent police. The said case was registered for the offence under Section 341, 323 and 427 IPC r/w Section 3(1)(r) and 3(2)(va) of the Scheduled Caste and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2.The learned Counsel for the petitioner submits that the petitioner has already filed an application in Crl.O.P(MD)No.1474 of 2024, seeking the very same relief, where he was directed to appear before the concerned Court. However, he has failed to appear as directed by this Court and then, he has filed an application seeking extension of time, which was dismissed by this Court.

3.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



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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.

4.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.

5.Considering the facts and circumstances of the case and also considering the order passed by this Court in Crl.O.P(MD)No.1474 of 2024, dated 01.02.2024, 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 **District Sessions (SC/ST) Special Court (PCR), Srivilliputhur**, 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



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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.

6.This Criminal Original Petition is disposed of accordingly.

03.07.2024

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

To

1.The District Sessions (SC/ST) Special Court(PCR),
Srivilliputhur.

2. The Deputy Superintendent Of Police,
Aruppukkottai Sub Division,
Virudhunagar District.

3. The Inspector of Police,
Mallanginar Police Station,
Virudhunagar District.

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

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B.PUGALENDHI, J.

LR

ORDER IN
CRL.O.P (MD) No.9734 of 2024

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