



CrI.O.P.(MD) No.9844 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 24.07.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL.O.P (MD) No.9844 of 2024

Praveen

... Petitioner

Vs

1. The Deputy Superintendent Of Police,
Lalgudi, Trichy District.

2. The Inspector of Police,
All Women Police Station,
Lalgudi,
Trichy District.
Cr.No.11/2024.

3. Nandhini

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the I Additional District and Sessions Court and (Special Court for Scheduled Castes and Scheduled Tribes) (Prevention of Atrocities) Act, Trichy to accept the surrender of the petitioner and consider his bail application and grant bail on the same date of surrender itself in connection with the case in Crime No.11 of 2024, on the file of the second respondent police.



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For Petitioner : Mr.Lawrance.J

For R1 & R2 : Mr.M.Sakthi Kumar
Government Advocate (CrI.Side)

For R3 : Mr.Musthafakhan

ORDER

The petitioner is an accused in Crime No.11 of 2024 on the file of the respondent police. The said case was registered for the offence under Sections 417 and 312 IPC r/w Sections 3(1)(r) and 3(1)(s) 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, 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.



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3.The learned Counsel appearing for the petitioner submits that the petitioner and defacto complainant loved each other and had physical relation ship. Now, the petitioner has married her, however, due to misunderstanding, they are living separately, for which, she lodged the complaint.

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 that the petitioner has married the defacto complainant, 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 I Additional District and Sessions Court and (Special Court for Scheduled Castes and Scheduled Tribes) (Prevention of Atrocities) Act, Trichy, who in turn is directed to entertain the bail application if any filed by this petitioner on the same of day. The



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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.

6. Accordingly, this Criminal Original Petition is disposed of with liberty to the defacto complainant to work out her remedy before the concerned Family Court.

24.07.2024

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

To

1. The I Additional District and Sessions
Court and (Special Court for SC/ST) (POA) Act,
Trichy.

2. The Deputy Superintendent Of Police,
Lalgudi, Trichy District.

3. The Inspector of Police,
All Women Police Station,
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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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