



Crl.O.P.(MD)No.10066 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.07.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.10066 of 2024

1. Anburaj
 2. Muthukumar
 3. Prabhakaran @ Prapakar
- ... Petitioners

Vs

- 1.The Deputy Superintendent of Police,
Thiruvaiyaru, Thanjavur.
 - 2.The Inspector of Police,
Thiruvaiyaru Police Station,
Thajavur District.
Cr.No.351/024.
 - 3.Palanisamy
- ...Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Principal Sessions Judge(Special Cour for PCR Cases) Thanjavur District to consider the bail application filed by the petitioners on the same day of surrender in Cr.No.351/2024 on the file of the second respondent police.

For Petitioner	: Mr.P.Ganapathi Subramanian
For R1 & R2	: Mr.M.Sakthi Kumar
	Government Advocate (Crl.side)



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ORDER

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The petitioners, apprehend arrest at the hands of the respondent police in Crime No.351 of 2024, dated 28.06.2024, registered on the file of the file of the second respondent police, for the offence under Sections 294(b), 352, 506(i) of IPC and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 has filed this application to direct the learned Principal Sessions Judge(Special Cour for PCR Cases) Thanjavur District to consider the bail applications filed by them on the same day of their surrender.

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 petitioners claim that this case is a foisted one and they will prove their innocence. In view of the bar under Section 18 of the SC/ST (POA) Act, the petitioners are inclined to surrender before the Special Court concerned and to seek regular bail. However, the petitioners seek a direction for disposal of the bail application on the same day.



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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 petitioners pray for similar directions.

4.Considering the facts and circumstances, the similar such orders passed by this Court, this petition is disposed of with a direction to the petitioners to surrender within a period of two weeks from today before the learned Principal Sessions Judge(Special Cour for PCR Cases) Thanjavur District and the learned Sessions Judge of the Special Court is directed to entertain the bail applications if any filed by these petitioners 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.

08.07.2024

NCC : Yes/No
Index : Yes/No
Internet:Yes
vrn



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- 1.The Principal Sessions Judge(Special Cour for PCR Cases),
Thanjavur District
- 2.The Deputy Superintendent of Police,
Thiruvaiyaru, Thanjavur.
- 3.The Inspector of Police,
Thiruvaiyaru Police Station,
Thajavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI,J

vrn

Order made in
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