



Crl.O.P.(MD)No.10295 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 11.07.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.10295 of 2024

1. G.Srinivasan
2. S.Amutha

... Petitioners

Vs

1.The Deputy Superintendent of Police,
Pattukkottai Division,
Thanjavur District.

2.The Inspector of Police,
District Crime Branch,
Thanjavur District.
Cr.No.18/2024.

3.Athish

...Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned I Additional District and Sessions Judge (PCR) Court, Thanjavur to consider the bail application to be filed by the petitioners on the same day on their surrender in connection with Crime No.18 of 2024 on the file of the second respondent.



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For Petitioners : Mr.A.Arun Prasad
For R1 & R2 : Mr.P.Kottaichamy
Government Advocate (Crl.side)

ORDER

The petitioners are the accused 2 & 3 for the alleged offence under Sections 406, 420 and 506(i) of IPC r/w Section 3(1)(r), 3(1)(s), and 3(2)(va) of SC/ST (Prevention of Atrocities) Act, in Crime No.18 of 2024, on the file of the second respondent police.

2.The learned counsel for the petitioners submits that the petitioners are the parents of A1. A1 is said to have received money from the defacto complainant for arranging a job. Though a job was arranged by A1, the complainant is not satisfied with the same and demanded money from A1. Therefore, there was a quarrel between A1 and the defacto complainant. Initially, a complaint was lodged as against A1 alone. Thereafter, the second respondent has included these petitioners as A2 and A3 in the above crime number.



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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 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.

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 petitioners pray for similar directions.

5. Considering the facts and circumstances, the similar such orders passed by this Court and also considering that the petitioners are the parents of A1 and the allegation of 420 IPC has been made out as against the A1 alone, this petition is disposed of with a direction to the petitioners to surrender within a period of two weeks from today before



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the learned Additional District and Sessions Judge (PCR Cases) Thanjavur 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.

11.07.2024

NCC : Yes/No

Index : Yes/No

Internet:Yes

vrn

To

- 1.The Additional District and Sessions Judge (PCR Cases),
Thanjavur.
- 2.The Deputy Superintendent of Police,
Pattukkottai Division,
Thanjavur District.
- 3.The Inspector of Police,
District Crime Branch,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI,J

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Order made in
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