



Crl.O.P.(MD)No.10327 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.07.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.10327 of 2024

1. Banumathi
2. Mani

... Petitioners

Vs

- 1.The Deputy Superintendent of Police,
The Deputy Superintendent of Police Office,
Thiruverumbur,
Trichy District.
- 2.The Inspector of Police,
Thiruverumbur Police Station,
Trichy District.
Crime No. 282 of 2024.

- 3.Anitha

...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 for (PCR cases) Trichy to accept the surrender of the petitioners and consider the bail application on the same date of surrender in connection with Crime No. 282 of 2024 on the file of the second respondent police.



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For Petitioner : Mr.K.Rajesh
For R1 & R2 : Mr.P.Kottaichamy
Government Advocate (Crl.side)

ORDER

The second respondent police has registered a case as against the petitioners for the alleged offence punishable under Sections 147, 294(b), 323 and 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 r/w 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST (Prevention of Atrocities) Act, in Crime No.282 of 2024, on the file of the second respondent police.

2.Mr.P.Kottaichamy, learned Government Advocate (Crl.side) takes notice for the respondents 1 and 2 and submits that the injured has been discharged from the Hospital.

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



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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, this petition is disposed of with a direction to the petitioners to surrender within a period of two weeks from today before the learned I Additional District and Sessions Judge (PCR Cases) Trichy 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



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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 I Additional District and Sessions Judge (PCR Cases),
Trichy.
- 2.The Deputy Superintendent of Police,
The Deputy Superintendent of Police Office,
Thiruverumbur,
Trichy District.
- 3.The Inspector of Police,
Thiruverumbur Police Station,
Trichy 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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