



Crl.O.P.(MD)No.11005 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.07.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.11005 of 2024

V.Palanisamy

... Petitioner

Vs

1.The Deputy Superintendent of Police,
Dindigul District,
Dindigul.

2.The Inspector of Police,
Dhadikombu Police Station,
Dindigul District.
Crime No.76 of 2024.

3.Balathandayuthapani

...Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Special Court for the Exclusive trial of SC/ST Cases, Dindigul to consider the bail petition of the petitioner on the same day on his surrender in connection with Crime no.76 of 2024 on the file of the 1st and 2nd Respondent police.



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For Petitioner : Mr.V.Santhakumaresan,
For R1 & R2 : Mr.P.Kottaichamy
Government Advocate (Crl.side)

ORDER

The second respondent police has registered a case as against the petitioner for the alleged offence punishable under Sections 3(1)(r) of SC/ST (Prevention of Atrocities) Act, in Crime No.76 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 defacto complainant is a money lender and the petitioner is said to have borrowed money from the defacto complainant, due to which, there was a dispute.

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 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)



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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, 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 today before the learned Special Court for the Exclusive trial of SC/ST Cases, Dindigul and the learned Judge of the Special Court is directed to entertain the bail application if any filed by this petitioner 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



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disposed on merits on the same day.

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NCC : Yes/No

Index : Yes/No

Internet:Yes

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To

- 1.The Special Court for the Exclusive trial of SC/ST Cases, Dindigul
- 2.The Deputy Superintendent of Police,
Dindigul District,
Dindigul.
- 3.The Inspector of Police,
Dhadikombu Police Station,
Dindigul District.
Crime No.76 of 2024.
- 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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