



CrI.O.P.(MD)No.11546 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 25.07.2024

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THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI.O.P.(MD)No.11546 of 2024

1. Agilan
2. Radhakrishnan ... Petitioners

versus

1. State rep. by
The Deputy Superintendent of Police,
Thiruverumbur Range,
Navalpattu Police Station,
Trichy District.

2. The Sub Inspector of Police,
Navalpattu Police Station,
Trichy District.

3. K.Saravanan ... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Principal District and Sessions Judge (PCR Cases), Trichy District to accept the surrender of the petitioners and consider their bail application on the same day on merits in relating to Crime No.29 of 2024 dated



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27.02.2024 on the file of the 2nd respondent Police.

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For Petitioners : Mr.S.Saravanakumar
For R1 and R2 : Mr.M.Sakthi Kumar
Government Advocate (Crl. side)

ORDER

The petitioners are accused in Crime No.29 of 2024 on the file of the 2nd respondent Police. The said case was registered for the offence under Sections 294(b), 324 and 506(2) IPC r/w. Sections 3(1)(4), 3(1)(s) and 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. Therefore, the petitioners have filed this petition seeking a direction to the learned Principal District and Sessions Judge (PCR Cases), Trichy District, to dispose of their bail applications on the date of surrender.

2. The learned counsel appearing for the petitioners submits that the petitioners' names have not been found place in the FIR, however, based on the confession statement of the first accused, the



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petitioners have been implicated in this case. He further submits that the first accused has filed a similar petition before this Court in CrI.O.P.(MD)No.3705 of 2024 and the same was allowed by this Court on 05.04.2024. He further submits that Section 18 of the SC/ST (POA) Act prohibits grant of anticipatory bail in the cases registered under the SC/ST (POA) Act. 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. Therefore, the petitioners seek a direction for disposal of the bail application on the same day.

3. Considering the facts and circumstances of the case and since the first accused has already been granted similar relief by this Court in CrI.O.P.(MD)No.3705 of 2024 dated 05.04.2024, this Criminal Original Petition is disposed of with a direction to the petitioners to surrender within a period of two weeks from the date of receipt of a copy of this order before the learned Principal District and Sessions Judge (PCR Cases), Trichy District, who, in turn, is



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directed to entertain the bail applications if any filed by the petitioners on the same day. The Public Prosecutor concerned is expected to be available in the Courts and the Public Prosecutor can very well get instructions with the available scientific modes. The bail applications in any event shall be disposed on merits on the same day.

25.07.2024

NCC : Yes/No

Index : Yes/No

Internet:Yes

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To

1. The Principal District and Sessions Judge
(PCR Cases),
Trichy District.
2. The Deputy Superintendent of Police,
Thiruverumbur Range,
Navalpattu Police Station,
Trichy District.



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3. The Sub Inspector of Police,
Navalpattu 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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