



Crl.O.P.(MD) No.12180 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 31.07.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL.O.P (MD) No.12180 of 2024

Sakthivel

... Petitioner

Vs

1. The Deputy Superintendent Of Police,
Thiruverambur Division,
Trichy District.

2. The Inspector of Police,
Thiruverambur Police Station,
Trichy District.
Crime No.198 of 2024.

3. Balamurugan

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct learned 1st Additional District and Sessions Judge (PCR Court) Trichy, Trichy District, to accept the surrender of the petitioner and consider their bail application on the same day on merit relating to Crime No.198 of 2024, dated.18.05.2024.



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For Petitioner : Mr.S.Sathyachidambaram,

For R1 & R2 : Mr.P.Kottai Chamy
Government Advocate (Crl.Side)

ORDER

The petitioner is an accused in Crime No.198 of 2024 on the file of the respondent police. The said case was registered for the offence under Section 341, 147, 148, 294(b), 323, 324 and 506(2) IPC r/w Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Caste and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. The petitioner sought for a direction to the learned I Additional District and Sessions Judge (PCR Court), Trichy, to consider his bail application on the date of surrender.

2.When the matter is taken up for hearing the learned Government Advocate (Crl.Side) submits that this Court, in Crl.O.P(MD)No.8223 of 2024, has already granted similar relief to the first accused.

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



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view of the bar under Section 18 of the SC/ST (POA) 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.Since this Court has already granted similar such relief to the first accused, this petition is disposed of with a direction to the petitioner to surrender within a period of **two weeks** from from the date of receipt of a copy of this order, before the learned I Additional District and Sessions Judge (PCR Court), Trichy, who in turn is directed to entertain the bail application if any filed by this petitioner on the same of day. The Public Prosecutors are expected to be available in the Courts and the Public Prosecutors can very well get instructions with the available scientific modes. The bail application in any event shall be disposed on merits on the



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same day.

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6.This Criminal Original Petition is disposed of accordingly.

31.07.2024

NCC : Yes/No
Internet:Yes/No
Index:Yes/No
LR

To

1.The 1 Additional District and Sessions Judge
(PCR Court),
Trichy, Trichy District.

2. The Deputy Superintendent Of Police,
Thiruverambur Division,
Trichy District.

3. The Inspector of Police,
Thiruverambur Police Station,
Trichy District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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B.PUGALENDHI, J.

LR

ORDER IN
CRL.O.P (MD) No.12180 of 2024

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