



Crl.O.P.(MD) No.12422 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 01.08.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL.O.P (MD) No.12422 of 2024

1. Balasubramaniyan

2. Ramanathasamy

3. Sumathi

4. Rajeswari

... Petitioners

Vs

1. The Deputy Superintendent Of Police,
Ponnamaravathi Sub Division,
Pudukkottai District.

2. The Inspector of Police,
Thirumayam Police Station,
Pudukkottai District.
Crime No.25/2024.

3. Rajamani

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C,
praying to direct the Special Court for the exclusive Trial of SC and ST
(POA) Act Cases, Pudukkottai to consider the petitioners' bail application



Crl.O.P.(MD) No.12422 of 2024

on the same day of their surrender in Crime No.25 of 2024 on the file of the second respondent.

For Petitioners : Mr.Karthikeyan C,

For R1 & R2 : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)

ORDER

The petitioners are the accused in Crime No.25 of 2024 on the file of the respondent police. The said case was registered for the offence under Sections 294(b), 323, 427, 447, 448 and 506(2) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 r/w Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Caste and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015. They sought for a direction to the Special Court for the exclusive Trial of SC and ST (POA) Act Cases, Pudukkottai, to consider their bail application on the date of surrender.



Crl.O.P.(MD) No.12422 of 2024

2. 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.

3. 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.

4. Considering the facts and circumstances of the case and that the nature of allegation, 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 from the date of receipt of a copy of this order, before the Special Court for the exclusive Trial of SC and ST (POA) Act Cases, Pudukkottai, who in turn is directed to entertain the bail application



Crl.O.P.(MD) No.12422 of 2024

if any filed by the petitioners 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 same day.

5.This Criminal Original Petition is disposed of accordingly.

01.08.2024

NCC : Yes/No

Internet:Yes/No

Index:Yes/No

LR

To

1.The Special Court for the exclusive
Trial of SC and ST (POA) Act Cases,
Pudukkottai.

2. The Deputy Superintendent Of Police,
Ponnamaravathi Sub Division,
Pudukkottai District.

3. The Inspector of Police,
Thirumayam Police Station,
Pudukkottai District.

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

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Crl.O.P.(MD) No.12422 of 2024

B.PUGALENDHI, J.

LR

ORDER IN
CRL.O.P (MD) No.12422 of 2024

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