



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.07.2016

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

Crl.O.P.(MD) No.10026 of 2016

K.Kanmani

...Petitioners/A2

-vs-

State represented by
The Inspector of Police,
Oddanchathiram Police Station,
Oddanchathiram, Dindigul District.
(Crime No.225/2016)

...Respondent

Prayer : Criminal original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the District and Sessions Judge-cum- P.C.R Court, Dindigul to accept the surrender of the petitioner and consider the bail application to be filed by the Petitioner on the same day in Crime No. 225 of 2016 on the file of the respondent police.

For Petitioner	: Mr.S.R.Sureshkumar
For Respondent	: Mr.A.P.Balasubramani
	Govt. Advocate (Crl.Side)

O R D E R

This petition has been filed, seeking to direct the learned District and Sessions Judge-cum- P.C.R Court, Dindigul to consider the petitioner's bail application on the date of surrender on the same day in Crime No.225 of 2016 on the file of the respondent police.

2. Learned counsel for the petitioner submits that the petitioner has been implicated in this case for the alleged offences under Section 307, 294(b) and 506(ii) IPC and Section 3 (1)(r)(s) of SC/ST (PoA) Amendment Act, 2015 in Crime No.225 of 2016 and that in view of the specific bar under Section 18 of the said Act, the petitioner cannot move any anticipatory bail application and therefore, the petitioner has come forward with the said prayer.

3. Learned Government Advocate (Crl.Side) takes notice for the respondent and submits that nobody sustained any injury in this case, as there was an attempt to hit the defacto complainant with a car so as to commit the murder of the defacto complainant and that the investigation is almost complete.

4. The allegation in the complaint is that the petitioner's husband attempted to hit the defacto complainant by car and abused her in filthy language by using the caste name.



5. Considering the submissions of both sides and also considering the nature of the prayer in this case in view of the specific bar under Section 18 of the S.C. & S.T. (Prevention of Atrocities) Act that the petitioner cannot move any anticipatory bail, the petitioner is directed to surrender before the District and Sessions Judge-cum- P.C.R Court, Dindigul within ten days from the date of receipt of a copy of this order. The learned District and Sessions Judge-cum- P.C.R Court, Dindigul is directed to accept the surrender of the petitioner and consider her bail application, in the event of the petitioner filing such petition in Crime No.225 of 2016 on the file of the respondent police, and dispose of the same on merits and in accordance with law on the same day. However, it is open to the Sessions Judge to impose appropriate conditions on the petitioner, if at all the bail application is considered favourably.

With this observation, this petition is disposed of accordingly.

Sd/-

Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar(CS)

To:

1. The District and Sessions Judge-cum- P.C.R Court,
Dindigul.
2. The Inspector of Police,
Oddanchathiram Police Station,
Oddanchathiram, Dindigul District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/s.S.R.Sureshkumar, Advocate in SR.36970

Cr1.O.P. (MD) No.10026 of 2016
15.07.2016

ar.

PBK/SK-SKN/SAR-I 21/07/2016 ::2P-5C:: (IT)