



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.06.2016

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

Crl.O.P. (MD) No.9071 of 2016

Selvi

... Petitioner

-vs-

1. The Deputy Superintendent of Police,
Office at Kanyakumari,
Kanyakumari District.

2. The Inspector of Police,
Anjugramam Police Station,
Kanyakumari District.
(Crime No.190/2016)

... Respondent/Complainant

Prayer : Criminal original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned 2nd Additional District and Sessions Judge-cum-PCR Court, Tirunelveli to consider the bail application filed by the petitioner on the same day in Crime No. 190 of 2016

For Petitioner : Mr.T.Selvakumaran

For Respondents : Mr.A.P.Balasubramani
Govt. Advocate (Crl.Side)

O R D E R

This petition has been filed, seeking to direct the learned 2nd Additional District and Sessions Judge-cum-PCR Court, Tirunelveli to consider the bail application filed by the petitioner on the same day in Crime No. 190 of 2016

2. Learned counsel for the petitioner submits that the petitioner has been implicated in this case for the alleged offences under Section 174 @ 306 IPC r/w 3(2)(V)(a) of SC/ST (PoA) Amendment Act, 2015 in Crime No.190 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. He further submits that co-accused has been released on bail and that the petitioner is not a named person in the FIR.

<https://hcservices.ecourts.gov.in/hcservices/>

3. Learned Government Advocate (Crl.Side) takes notice for



the respondent and submits that there is no previous case against the petitioner.

4. The allegation against the petitioner herein is that she along with other accused scolded the deceased saying that whether she is going to the college for study or for searching a bride. Even assuming that this allegation is true, it may not amount to abatement of suicide.

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 2nd Additional District and Sessions Judge-cum-PCR Court, Tirunelveli within ten days from the date of receipt of a copy of this order. The learned 2nd Additional District and Sessions Judge-cum-PCR Court, Tirunelveli is directed to accept the surrender of the petitioner and consider his bail application, in the event of the petitioner filing such petition in Crime No.190 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.

With this observation, this petition is disposed of accordingly.

Sd/
Assistant Registrar(P&A)

/True copy/

Sub Assistant Registrar

To:

1. The 2nd Additional District and Sessions Judge-cum-PCR Court, Tirunelveli.
2. The Deputy Superintendent of Police, Office at Kanyakumari, Kanyakumari District.
3. The Inspector of Police, Anjugramam Police Station, Kanyakumari District.
4. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+1cc to M/s.T.Selvakumaran, Advocate in SR.No.30575

SDR/AAL-MPA/SAR I/16.06.2016/2P/6C