

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.11.2017

CORAM

THE HONOURABLE MR. JUSTICE M.S. RAMESH

CRL.O.P.No.25009 of 2017

Daya @ Dayanithi

..Petitioner

Vs

The Inspector of Police,
Bhuvanagiri Police Station,
Cuddalore District.
(Crime No. 276/2013)

..Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Principal Sessions Judge at Cuddalore to consider the petitioner's surrender and pass appropriate order on the bail application filed by the petitioner on the same day on such terms and conditions concerned in Crime No 276/2013 on the file of the Inspector of Police, Bhuvagiri Police Station, Cuddalore on such terms and conditions.

For Petitioner

: Mr.S.Jayaprakash

For Respondent

: Mr.C. Iyyapparaj

Additional Public Prosecutor

ORDER

This petition is filed for a direction to the Principal Sessions Judge at Cuddalore, to consider the petitioners' bail petition on the same day of his surrender in connection with Crime No.276 of 2013, since the offences are pertaining to the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. In view of the specific bar under Section 18 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and also taking into consideration of the possibility of misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the Principal Sessions Judge, Cuddalore to consider the petitioners' bail application, preferably on the same day of his surrender in connection with Crime No. 276 of 2013 and pass appropriate orders in accordance with law after affording due opportunity to the victim. The petitioner shall surrender before the concerned jurisdictional Court within period of one week from the date of receipt of a copy of this Order.

3. The learned Additional Public Prosecutor submitted that NBW was pending from 22.06.2016. In this connection, the petitioner is also granted

liberty to file application seek for recall of the warrant and on receipt of the same the learned Judicial Magistrate, Parangipettai shall endeavour to dispose it on the same day after giving due opportunity to the victim.

3. In view of the above, the Criminal Original Petition stands allowed.

21.11.2017

Index:yes/no
Internet:yes/no
aav/nl

Note: Issue Order copy on 23.11.2017

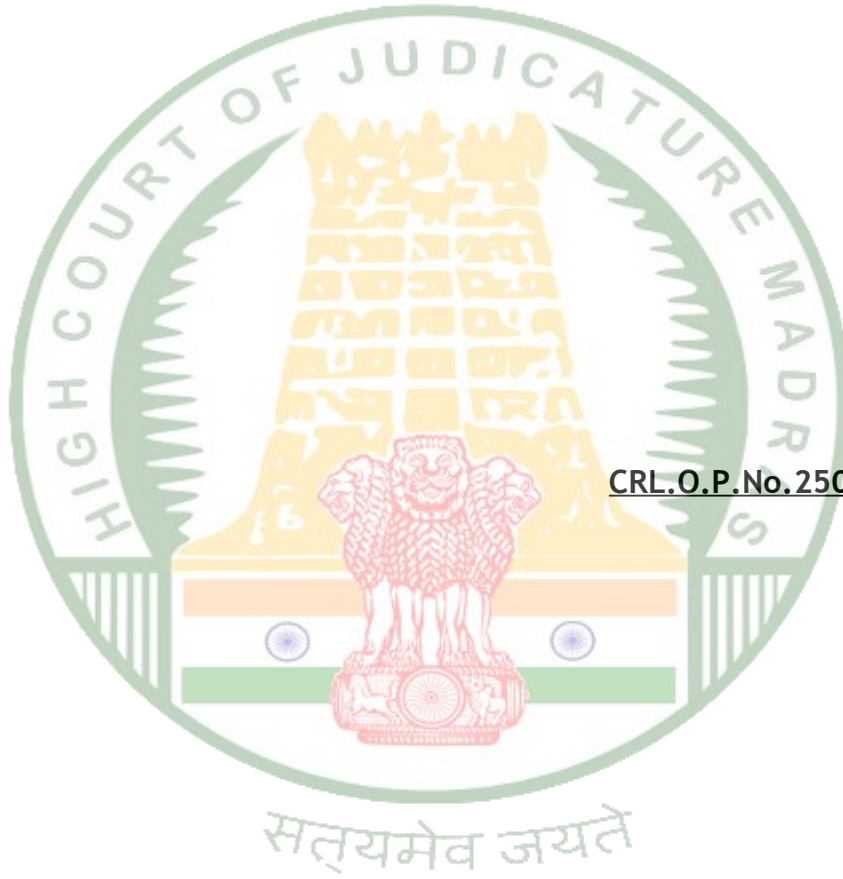
To

1. The Principal Sessions Judge,
Cuddalore
2. The Inspector of Police,
Bhuvanagiri Police Station,
Cuddalore.
3. The Additional Public Prosecutor,
High Court, Madras.

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M.S. RAMESH.J.,

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