



BEFORE THE MADURAI BENGH OF MADRAS HIGH COURT

DATED: 26.09.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.13615 of 2019

Kaneeswari ... Petitioner/Sole Accused

Vs

1.The Deputy Superintendent of Police
Theni District

2. The State rep. by
The Inspector of Police
Theni Police Station
Theni District

... Respondents/Complainants

3.S.Thirumeni ... 3rd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Principal District and Sessions Judge cum SC/ST (PoA), Act, (PCR Unit), Theni to consider the bail application of the petitioner on the same day on merits in the event of her surrender in connection with Cr.No.655 of 2019 on the file of the respondent.

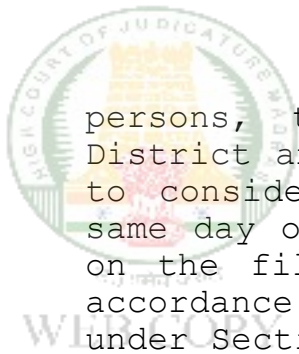
For Petitioner : Mr.A.Sivakumar

For Respondents : Mr.K.Suyambulinga Bharathi,
G.A. (Crl. Side) for RR1 and 2

O R D E R

This petition is filed for a direction to direct the learned Principal District and Sessions Judge cum SC/ST (PoA), Act, (PCR Unit), Theni to consider the petitioner's bail petition on the same day of surrender and dispose the same on the same date on merits and in accordance with law in crime No.655 of 2019 on the file of the 2nd respondent.

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 process of law by the accused, the previous intention of the Parliament against innocent



persons, there shall be a direction to the learned Principal District and Sessions Judge cum SC/ST (PoA), Act, (PCR Unit), Theni to consider the petitioner's bail application, preferably on the same day of her surrender in connection with Crime No. 655 of 2019 on the file of the 2nd respondent and pass appropriate orders in accordance with law after affording due opportunity to the victim under Section 15(a) of the SC/ST Act. The petitioner shall surrender before the concerned jurisdictional Court within a period of fifteen days from the date of the receipt of a copy of this Order.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The Principal District and Sessions Judge cum SC/ST (PoA), Act, (PCR Unit), Theni

2.The Deputy Superintendent of Police
Theni District

3. The Inspector of Police
Theni Police Station
Theni District

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

+1 CC to M/s.A.SIVAKUMAR, Advocate (SR-89620[F] dated 26/09/2019)

Order made in
CRL.O.P (MD) No.13615 of 2019
26.09.2019

JMN(27.09.2019) 2P : 6C