

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2020

CORAM:

THE HON'BLE MR.JUSTICE M.GOVINDARAJ

Crl.O.P.No.7358 of 2020

S.Kumareswari

..Petitioner

Vs

1. State represented by
The Inspector of Police,
Periyanaickenpalayam Police Station
Coimbatore District
Crime No.158/2020

2. Maheswari

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C seeking a direction to the Principal District and Sessions Judge, Coimbatore to accept the surrender of the petitioner and consider the bail application of the petitioner and consider the bail application on merits on the same day in

connection with Crime No.158 of 2020 on the file of the first respondent Police and pass suitable orders considering the Covid-19 Pandemic.

For Petitioner : Mr.S.Vijayakumar

For Respondents : Mr.T.Shunmugarajeswaran,
Govt.Advocate for R1

ORDER

The Petitioner is a Head Mistress of the School. The De-facto Complainant is an Office-bearer of a political outfit. She lodged a complaint that the petitioner had forced the children to clean the toilet. Hence the complaint is registered under Sec, 323 IPC r/w Sec 3 (i)(j), 3(1)(r) and 3(1)(s) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Amendment Act, 2015. Since there is no provision for anticipatory bail , the petitioner is before this court.

2. The Learned Government Advocate submit that the de-facto Complainant's daughter is also a student studying in the school and was

alleged to have forced to clean the toilet.

3. I have considered the submissions.

4. Considering the present day Pandemic conditions, it is difficult to the Petitioner to approach the Court immediately and comply with the requirement of notice to victim. Admittedly, the act of the Head Mistress of the School in the alleged incident is true or politically motivated are to be seen during trial. Since as per Sec18 of the Act, anticipatory bail is barred and since it is not advisable to expose the victim to Covid-19, the bail petition has to be considered on the same day dispensing with the notice Under Section 15 of the Act.

5. Accordingly a direction is given to the Principal District and Sessions Judge, Coimbatore to consider and take up the bail application of the petitioner on the same day on the event of her surrender and to dispose of the same in accordance with law.

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M.GOVINDARAJ, J.

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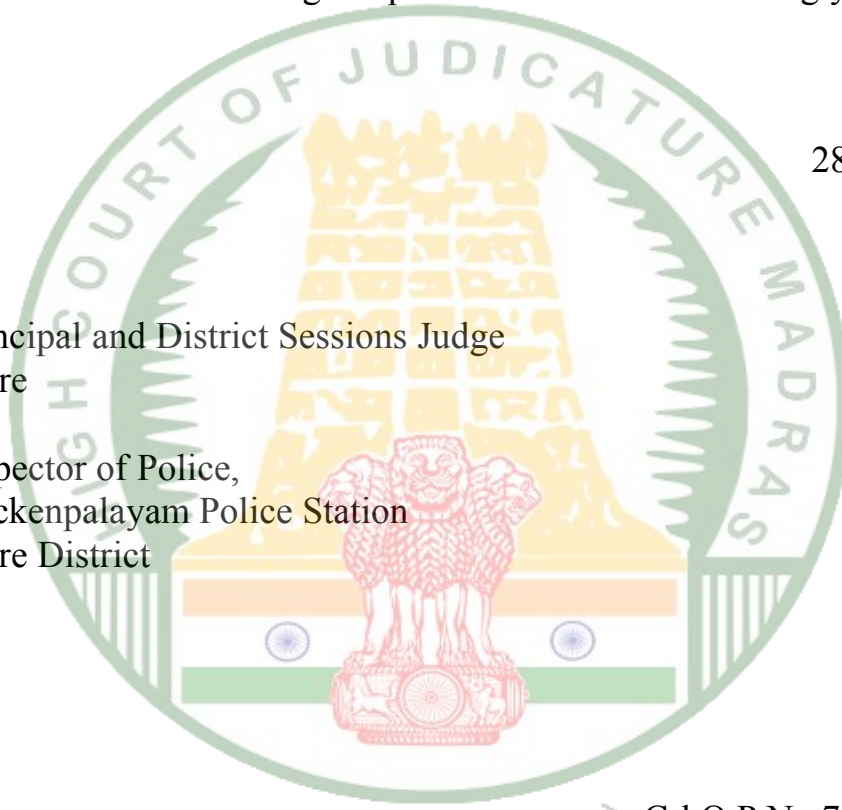
The Criminal Original petition is ordered accordingly.

28.04.2020

To

1.The Principal and District Sessions Judge
Coimbatore

2.The Inspector of Police,
Periyanaickenpalayam Police Station
Coimbatore District



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