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Crl.O.P.No.26341 of 2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.11.2022

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

Crl.O.P.No.26341 of 2022

Janani

...

Petitioner

versus

State rep. by

1.The Deputy Superintendent of Police,
Ulundurpet, Villupuram District.

2.The Inspector of Police,
All Women Police Station,
Ulundurpet,
Kallakurichi District.
(Crime No.6 of 2022)

...

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, praying to direct the learned Principal Sessions Judge, Villupuram (Special Judge for SC/ST Act Cases) to consider the bail application on the same day of her surrender in connection with Crime No.6 of 2022 on the file of the second respondent police.

For Petitioner : M/s.S.P.Meenakshi Sundharam

For Respondents : Mr.S.Santhosh
Government Advocate (Crl. Side)



ORDER

This Criminal Original Petition has been filed seeking for a direction to the learned Principal Sessions Judge, Villupuram (Special Judge for SC/ST Act Cases) to consider the bail application filed by the petitioner on her surrender on one and the same day in Crime No.6 of 2022 on the file of the second respondent police.

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 misuse of the stringent provision against innocent persons, there shall be a direction to the learned Principal Sessions Judge, Villupuram (Special Judge for SC/ST Act Cases), to consider the petitioner's bail application, preferably on the same day of her surrender in connection with Crime No.6 of 2022 on the file of the second respondent police and pass appropriate orders in accordance with law, after affording due opportunity to the victims under Section 15-A of the SC/ST (POA) Act, 1989. 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.



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3. It is needless to say that the Court below while disposing the bail petition shall look into the gravity of the offence, previous antecedents of the petitioner and pass orders. Mere direction issued by this Court to consider the bail petition on the same day, does not amount to consider it favourably.

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

01.11.2022

Speaking order / Non-speaking order

Index : Yes / No

Internet : Yes

Note : Issue Order Copy by Today i.e. on 01.11.2022

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To

1. The Principal Sessions Judge, Villupuram.
(Special Judge for SC/ST Act Cases).

State rep. by

2. The Deputy Superintendent of Police,
Ulundurpet, Villupuram District.

3. The Inspector of Police,
All Women Police Station,
Ulundurpet,
Kallakurichi District.

4. The Public Prosecutor,
Madras High Court,
Chennai.



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R.N.MANJULA, J.

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