



WEB COPY



Crl.O.P.No.32464 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.12.2022

CORAM

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Crl.O.P.No.32464 of 2022

Jayakodi

... Petitioner

VS.

1.State rep. by,
The Deputy Superintendent of Police,
Veppur,
Cuddalore District.

2.State rep. by,
The Inspector of Police,
Sirupakkam Police Station,
Cuddalore District.
(Crime No.211 of 2022)

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the learned Principal District and Sessions Judge, Cuddalore (Special Judge for SC/ST Act cases) to consider the petitioner's bail application to be filed on the same day on her surrender in Crime No.211 of 2022 pending investigation on the file of the second respondent.

For Petitioner : Mr.M.Selvam

For Respondents : Mr.L.Baskaran
Government Advocate (Crl.Side)



CrI.O.P.No.32464 of 2022

ORDER

WEB COPY This Criminal Original Petition has been filed seeking for a direction to the learned Principal District and Sessions Judge (Special Judge for SC/ST Act cases), Cuddalore to accept the surrender of the petitioner in connection with the Crime No.211 of 2022 on the file of the second respondent police and to consider the petitioner's bail application on the same day.

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 learned Principal District and Sessions Judge, (Special Judge for SC/ST Act cases), Cuddalore to consider the petitioner's bail application, preferably on the same day of her surrender in connection with Crime No.211 of 2022 on the file of the second respondent 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



Crl.O.P.No.32464 of 2022

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. 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, the Criminal Original Petition stands allowed.

28.12.2022

Index: Yes/No
sp/ham

To

1.The Principal District and Sessions Judge,
(Special Judge for SC/ST Act cases),
Cuddalore.

2.The Deputy Superintendent of Police,
Veppur,
Cuddalore District.

Page No.3 of 4



WEB COPY



Crl.O.P.No.32464 of 2022

A.A.NAKKIRAN, J.

sp/ham

3.The Inspector of Police,
Sirupakkam Police Station,
Cuddalore District.

4.The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.32464 of 2022

28.12.2022