



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.10589 of 2022

WEB COPY

Mageswari

... Petitioner/Accused No.3

Vs

1. State Represented by its

The Deputy Superintendent of Police,
Melur, Madurai District.

2. The Inspector of Police,

Kottampatti,
Madurai District.

(Crime No.172 of 2012)

... Respondent Nos. 1 & 2/ Complainant

3. Vallikannu

... Respondent No.3/ Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned III-Additional District Sessions Judge (PCR Act Cases), Madurai, to consider the bail application of the petitioner on the same day of her surrender before that Court in connection with Crime No.172 of 2012 on the file of the second respondent.

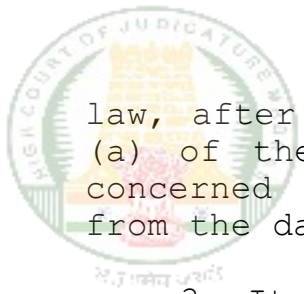
For Petitioner : Mr.RM.Arun Swaminathan

For R1 & R2 : Mr.A.Albert James,
Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed for a direction, to direct the learned III-Additional District Sessions Judge (PCR Act Cases), Madurai to consider the bail application of the petitioner on the same day of her surrender before that Court in connection with Crime No.172 of 2012 on the file of the second 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 the possibility of misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the learned III-Additional District Sessions Judge (PCR Act Cases), Madurai, to consider the petitioner's bail application, preferably on the same day of her surrender in connection with Crime No.172 of 2012 on the file of the second 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. 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. With the above direction, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (Crl Side)

// True Copy //

16/06/2022

Sub Assistant Registrar(CS)

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To

1. The III-Additional District Sessions Judge (PCR Act Cases),
Madurai.
2. The Deputy Superintendent of Police,
Melur, Madurai District.
3. The Inspector of Police,
Kottampatti,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to M/s.R.M.Arun Swaminathan, Advocate (SR.No.26292)

CRL.O.P (MD) No.10589 of 2022

15.06.2022

MGJ(16.06.2022) 2P 6C