



Crl.O.P.(MD) No.15438 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 26.08.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.15438 of 2022

Muthuselvi,
In the FIR the petitioner's name was
wrongly mentioned as Muthulakshmi

: Petitioner

Vs

1. The Deputy Superintendent Of Police,
Thalaiyuthu Sub Division,
Tirunelveli District

2. The Inspector of Police,
Manur Police Station,
Tirunelveli.
Crime No. 308 of 2022.

3. Sriram,

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Additional District Judge No.II cum PCR court, Tirunelveli to consider the bail application of the petitioner herein on the same day of surrender pertaining to the Crime No. 308/2022 on the file of the second respondent police



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For Petitioner : Mr.Alwin Balan.P.P.,
Advocate.
For Respondent : Mr.R.Suresh Kumar,
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed for a direction to direct the learned Additional District Judge No.II cum PCR court, Tirunelveli, to consider the petitioner's bail application on the same day of her surrender in Crime No. 308 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 the possibility of misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the learned Additional District Judge No.II cum PCR court, Tirunelveli, to consider the petitioner's bail application, preferably on the same day of her surrender in connection with Crime No. 308 of 2022 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



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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.

26.08.2022

Internet: Yes./No

Index: Yes/no

lr

Note: Issue order copy on 02.09.2022



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V.SIVAGNANAM, J.

lr

To

- 1.The Additional District Judge No.II
cum PCR court, Tirunelveli.
2. The Deputy Superintendent Of Police,
Thalaiyuthu Sub Division,
Tirunelveli District
3. The Inspector of Police,
Manur Police Station,
Tirunelveli.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER IN
CRL.O.P (MD) No.15438 of 2022

26.08.2022