



*Crl.O.P.(MD)No.22674 of 2022*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.12.2022**

CORAM

**THE HON'BLE MR.JUSTICE K.MURALI SHANKAR**

**Crl.O.P.(MD)No.22674 of 2022**

Sumithra

... Petitioner

Vs.

1.The Deputy Superintendent of Police,  
Thiruverumbur,  
Trichy District.

2.The Inspector of Police,  
Thuvakkudi Police Station,  
Thuvakkudi,  
Trichy District.  
(Crime No.171 of 2022)

3.K.Anbalagan

... Respondents

**PRAYER :** Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the learned I Additional Sessions and District Judge and Special Court for SC/ST (POA) Act, Trichy to accept the surrender of the petitioner/first accused and consider the petitioner's bail application and grant bail on the date of surrender itself in Crime No. 171 of 2022 on the file of the second respondent police.



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For Petitioner : Mr.S.Krishnan

For R1 & R2 : Mr.R.Sivakumar  
Government Advocate (Crl. Side)

### **ORDER**

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to direct the learned I Additional Sessions and District Judge and Special Court for SC/ST (POA) Act, Trichy to consider and pass orders on bail application to be filed by the petitioner in connection with Crime No.171 of 2022 pending on the file of the second respondent on the same day.

2. The petitioner is an accused for the offences punishable under Section 506(1) IPC r/w Sections 3(l)(r), 3(l)(s) and 3(l)(u) of SC/ST (Prevention of Atrocities) Act, 1989 in Crime No.171 of 2022, pending on the file of the second respondent and apprehending arrest, she has filed the present petition.

3. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2 and perused the materials available on record.



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4. The learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2 would submit that the petitioner is not having any previous cases and that no one was injured in the incident.

5. 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 I Additional Sessions and District Judge and Special Court for SC/ST (POA) Act, Trichy to consider the petitioner's bail application, preferably on the same day of her surrender in connection with Crime No.171 of 2022 on the file of the second respondent police 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.

6. It is needless to say that the Court below while disposing the bail petition shall look into the gravity of the offence, previous



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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 favorably.

7. With the above direction, this Criminal Original Petition stands allowed.

**21.12.2022**

Index : Yes / No  
Internet : Yes / No  
csm

To

- 1.The I Additional Sessions and District Judge and Special Court for SC/ST (POA) Act, Trichy.
- 2.The Deputy Superintendent of Police,  
Thiruverumbur,  
Trichy District.
- 3.The Inspector of Police,  
Thuvakkudi Police Station,  
Thuvakkudi,  
Trichy District.
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**K.MURALI SHANKAR,J.**

csn

Order made in  
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