



Crl.O.P.No.418 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.418 of 2023

Kalpana

...

Petitioner

Vs.

1.The Deputy Superintendent of Police,
Office of District Superintendent of Police,
Vellore District.

2.State By
The Inspector of Police,
Veppamkuppam Police Station,
Vellore District.
Crime No.321 of 2022.

3. Bakyaraj ... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the learned Sessions Judge, Special Court for SC/ST Prevention of Atrocities Amendment Act, Vellore to accept the surrender of the petitioner and consider the bail petition on the very same day in Crime No.321 of 2022 on the file of the respondent police.

For Petitioner

... Ms.S.P.Arthi

For Respondents

... Mr.S.Santhosh for R1 & R2,
Government Advocate (crl.side)

ORDER



Crl.O.P.No.418 of 2023

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This Criminal Original Petition has been filed seeking for a direction to the learned Sessions Judge, Special Court for SC/ST Prevention of Atrocities Amendment Act, Vellore to accept the surrender of the petitioner and consider the bail petition on the very same day in Crime No.321 of 2022 on the file of the 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 misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the learned Sessions Judge, Special Court for SC/ST Prevention of Atrocities Amendment Act, Vellore to consider the petitioner's bail application, preferably on the same day of her surrender in connection with Crime No.321 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 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



Crl.O.P.No.418 of 2023

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 disposed of.

10.01.2023

Index: Yes/No

Internet: Yes/No

Speaking/Non speaking order

shk

To

1. The Sessions Judge, Special Court
for SC/ST Prevention of Atrocities Amendment Act, Vellore
2. The Deputy Superintendent of Police,
Office of District Superintendent of Police,
Vellore District.
3. The Inspector of Police,
Veppamkuppam Police Station,
Vellore District.
4. The Public Prosecutor,
High Court, Madras.



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Crl.O.P.No.418 of 2023

G.CHANDRASEKHARAN, J.

shk

Crl.O.P.No.418 of 2023

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