



CrI.O.P.No.2497 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **07.02.2023**

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

CrI.O.P.No.2497 of 2023

Suguna @ Suganya

... Petitioner

vs.

1. The Deputy Superintendent of Police,
Thittakudi,
Cuddalore District.

2. The State represented by,
The Inspector of Police,
Ramanatham Police Station,
Cuddalore District.

(Crime No.338 of 2022)

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the learned Principal District & Sessions Judge, (Special Court under SC and ST Atrocities Act) at Cuddalore, Cuddalore District to accept the surrender of the petitioner herein concerned in Crime No.338 of 2022 pending investigation on the file of the second respondent and consider the bail petition on the same day itself.

For Petitioner : Mr.M.R.Elavarasan

For Respondents : Mr.S.Santhosh
Government Advocate (CrI.Side)

ORDER



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WEB CODE This Criminal Original Petition has been filed seeking for a direction to the learned Principal District and Sessions Judge, (Special Court under SC and ST Atrocities Act), Cuddalore to accept the surrender of the petitioner in connection with the Crime No.338 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 Court under SC and ST Atrocities Act), Cuddalore to consider the petitioner's bail application, preferably on the same day of her surrender in connection with Crime No.338 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



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fifteen days from the date of the receipt of a copy of this Order.

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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.

07.02.2023

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Index: Yes/No

Speaking/Non speaking order

Neutral Citation Case: Yes/No



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G.CHANDRASEKHARAN, J.

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To

1. The Principal District and Sessions Judge,
(Special Court under SC and ST Atrocities Act),
Cuddalore.
2. The Deputy Superintendent of Police,
Thittakudi,
Cuddalore District.
3. The Inspector of Police,
Ramanatham Police Station,
Cuddalore District.
4. The Public Prosecutor,
High Court, Madras.

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