



Crl.O.P.No.6304 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.6304 of 2023

Mariyammal

... Petitioner

/vs/

1. The State Represented by,
The Deputy Superintendent of Police,
Uthukotti, Thiruvallur District.

2. The Inspector of Police,
Periyapalayam Police Station,
Thiruvallur District.

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the learned Principal District Judge, Thiruvallur, Principal Special Court SC/ST (POA) Act to accept the bail application of the petitioner on the same day of surrender in Crime No.176 of 2023 on the file of respondent police.

For Petitioner

... Mr.A.Vijayasankar

For Respondents

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

ORDER



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This Criminal Original Petition has been filed seeking direction to the learned Principal District Judge, Thiruvallur, Principal Special Court SC/ST (POA) Act to accept the bail application of the petitioner on the same day of surrender in Crime No.176 of 2023 on the file of 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 Principal District Judge, Thiruvallur, Principal Special Court SC/ST (POA) Act to consider the petitioner's bail application, preferably on the same day of their surrender in connection with Crime No.176 of 2023 registered for the offence under Sections 294(b), 323, 506(2) of IPC and Sections 3(1)(x), 3(1)(xi) and 3(1)(xv) of SC/ST (POA) Act, 1989 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



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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. In view of the above, the Criminal Original Petition stands allowed.

21.03.2023

Index: Yes/No
Internet: Yes/No
Speaking/Non speaking order
Sma



WEB COPY



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G.CHANDRASEKHARAN, J.

Sma

To

1. The Deputy Superintendent of Police,
Uthukotti, Thiruvallur District.
2. The Inspector of Police,
Periyapalayam Police Station,
Thiruvallur District.
3. The Public Prosecutor,
High Court, Madras.

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