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CRL.O.P.No.10021 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.05.2023

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CRL.O.P.No.10021 of 2023

Subha

... Petitioner

Vs

1.The Assistant Commissioner of Police,
Ayanavaram Range,
Chennai 600 010.

2.The Inspector of Police,
All Women Police Station,
Ayanavaram,
Chennai.
Crime No.03 of 2023

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Special Judge under SC/ST (Prevention of Atrocities) Act cases, Principal Sessions Court, Chennai to consider the bail application of the petitioner in Crime No.3 of 2023 on the file of the respondent Police.

For Petitioner : Mr.M.Sivakumar

For Respondent : Mr.S.Santhosh
Government Advocate (crl.side)



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ORDER

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This petition is filed for a direction to the learned Special Judge for SC/ST (Prevention of Atrocities) Act cases, Principal Sessions Court, Chennai, to consider the petitioner's bail petition on the same day of her surrender in connection with Crime No.03 of 2023, since the offences are pertaining to the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

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 Special Judge for SC/ST (Prevention of Atrocities) Act cases, Principal Sessions Court, Chennai, to consider the petitioner's bail application, preferably on the same day of her surrender in connection with Crime No. 03 of 2023 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



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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, the Criminal Original Petition stands allowed.

04.05.223

vkrr

Internet:Yes

Index:Yes/no

Speaking/Non speaking order



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G.K.ILANTHIRAIYAN, J.

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To

- 1.The Special Judge for SC/ST
(Prevention of Atrocities) Act cases,
Principal Sessions Court, Chennai.
- 2.The Public Prosecutor,
High Court, Madras.

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