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Crl.O.P.No.22367 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.22367 of 2023

Vijayalakshmi

... Petitioner

Vs.

1. State represented by
The Deputy Superintendent of Police,
Thandrampet Police Station,
Tiruvannamalai Rural Division,
Tiruvannamalai District.

2. The Inspector of Police,
Thandrampet Police Station,
Tiruvannamalai District.
Crime No.334 of 2023

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the Learned Special Court for the Exclusive Trail of SC & ST Act Cases, Tiruvannamalai to consider the bail application of the petitioner on her surrender before the court on the same day on merits in accordance with law in connection with Crime No.334 of 2023 on the file of 2nd respondent police.

For Petitioner : Mr.K.T.S.Sivakumar

For Respondent : Mr.S.Udaya Kumar
Government Advocate (Crl. Side)



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ORDER

This Criminal Original Petition is filed to direct the learned Special Court for the Exclusive Trial of SC and ST Act Cases, Tiruvannamalai to consider the bail application on surrender.

2. To the understanding of this Court that there is no bar or impediment for a Judge to consider his bail petition on surrender of the accused, who is absconding. However, the absconding accused cannot expect that his bail application should be considered on the same day itself, such a direction cannot be given to the Court below by this Court in exercising of power under Section 482 of Criminal procedure Code, 1973. More particularly, when the offence is under SC/ST Act and there is a mandatory requirement under the statute that the defacto-complainant must be heard before considering the bail petition.

3. In Such circumstances, there no merit in this petition. Hence this Criminal Original Petition is disposed of.

03.10.2023

Index : Yes/No
Neutral Citation : Yes/No
mac/rpl



Crl.O.P.No.22367 of 2025

To

WEB COPY

1. The Deputy Superintendent of Police,
Thandrapet Police Station,
Tiruvannamalai Rural Division,
Tiruvannamalai District.
2. The Inspector of Police,
Thandrapet Police Station,
Tiruvannamalai District.
3. The Public Prosecutor,
High Court, Madras.



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Dr.G.JAYACHANDRAN,J.

Mac/rpl

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