



CRL OP(MD). No.4321 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06.03.2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

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Graceprem Kumari @ Prema

... Petitioner

Vs

1.The State rep. by its
The Deputy Superintendent of Police,
Srivaikundam,
Thoothukudi District.

2.The State rep. by its
The Inspector of Police,
Alwarthirunagari Police Station,
Thoothukudi District,
Crime No.138 of 2021

3.Deivakkani

Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., directing the learned Sessions Judge, Special Court for Trial of Cases under SC/ST (POA), Thoothukudi, to consider the bail application of the petitioner in connection with the FIR in Crime No.138 of 2021 on the file



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of the 2nd respondent police on the very same date of the surrender of the petitioner and consequently, to enlarge the petitioner on bail on the very same date itself by disposing the petitioner's bail application.

For Petitioner : Mr.M.S. Jeyakarthik
For Respondents : Mr. R. Sureshkumar
Government Advocate (Crl. Side)

ORDER

This petition has been filed to direct the learned Sessions Judge, Special Court for Trial of Cases under SC/ST (POA), Thoothukudi, to consider the bail application of the petitioner in connection with the FIR in Crime No.138 of 2021 on the file of the 2nd respondent police on the very same date of the surrender of the petitioner and consequently, to enlarge the petitioner on bail on the very same date itself by disposing the petitioner's bail application.

2.The petitioner is the accused person in Crime No.138 of 2021 on the file of the 2nd respondent police for the offences punishable under Sections 294(b) and 506(i) of IPC and u/s. 3(1)(r) & 3(1)(s) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

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3.Mr.R. Sureshkumar, learned Government Advocate (Crl. Side)

accepts notice for the respondents 1 and 2. He submitted that no previous case is pending against the petitioner and the injured person has been discharged from the hospital.

4.Considering the facts and circumstances of the case, this Court is inclined to pass the following orders :-

- 1) The petitioner shall appear before the learned Sessions Judge, Special Court for Trial of Cases under SC/ST (POA), Thoothukudi, within a period of 15 days from the date of receipt of a copy of this order.
- 2) On such surrender along with notice served to the defacto complainant, the concerned Judge shall consider the bail application filed by the petitioner and pass orders on merits on the same day of her surrender, after hearing the defacto complainant by complying with Section 15A(5) of the Act.



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5. With the above observation, this Criminal Original Petition is

disposed of.

06.03.2023

Index : Yes / No
Internet: yes / No
trp

To

The Deputy Superintendent of Police,
Srivaikundam,
Thoothukudi District.

2. The State rep. by its
The Inspector of Police,
Alwarthirunagari Police Station,
Thoothukudi District,



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G.ILANGOVAN,J

trp

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