

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.03.2023**

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.5429 of 2023

Ayesha Kallashi

... Petitioner/Accused No.1

Vs.

1. The Deputy Superintendent of Police,
Tiruchendur,
Thoothukudi District.

2. The Inspector of Police,
Kulasekarapattinam Police Station,
Thoothukudi District.
(Crime No.45/2023).

...Respondents/Complainants

3. Thangammal

...Respondent/ Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the Special Court for Trial of Cases under SC/ST (PoA) Act, Thoothukudi District to consider and dispose of the bail application to be filed by the petitioner on the same day of its filing on her surrender in connection with the case in Crime No.45 of 2023 on the file of the Inspector of Police, Kulasekarapattinam Police Station, Thoothukudi District.

For Petitioner : Mr. R.Anand

For R1 & R2 : Mr.B.Nambiselvan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to direct the Special Court for Trial of Cases under SC/ST (PoA) Act, Thoothukudi District, to consider and dispose of the bail application to be filed by the petitioner on the same day of its filing on her surrender in connection with the case in Crime No.45 of 2023 on the file of the Inspector of Police, Kulasekarapattinam Police Station, Thoothukudi District.

2. The petitioner is the accused for the offences punishable under Sections 294(b), 186 IPC r/w. 3(1)(r) and 3(1)(s) of SC/ST (PoA) Amendment Act 2015 in Crime No.45 of 2023 dated 18.03.2023, pending on the file of the second respondent police and apprehending arrest, they have filed the present petition.

3. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2 and perused the materials available on record.

4. The learned Additional Public Prosecutor appearing for the respondents 1 and 2 would submit that the offences are altered by the second respondent Police.

5. Since there is alteration of offences, this petition is dismissed with liberty to the petitioner to file a fresh petition.

6. With the above liberty, this Criminal Original Petition stands dismissed.

23.03.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Indu

G.ILANGO VAN,J.

Indu

To

1. The Deputy Superintendent of Police,
Tiruchendur,
Thoothukudi District.
2. The Inspector of Police,
Kulasekarapattinam Police Station,
Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.5429 of 2023

Dated: 23.03.2023