



CrI.O.P.(MD) No.8552 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 17.05.2023

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P (MD) No.8552 of 2023

1. Sheela

2.G.Nachathiram

... Petitioners / Accused 2 &3

Vs

1. The Deputy Superintendent of Police,
Lalgudi Circle, Lalgudi,
Trichy District.

2. The Inspector of Police,
All Women police station,
Lalgudi,
Trichy District.

... Respondents / Complainants

3. Divya

... 3rd Respondent /
Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Learned 1st Additional District Sessions Judge and (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989 Trichy, to accept the surrender of the petitioners and consider their bail applications and grant bail on the same date of surrender itself in connection with the case in Crime No.11 of 2023 registered on 27.04.2023 on the file of the second respondent police.

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For Petitioners : Mr.P.Mahendran

For Respondents
No.1 and 2 : Mr.M.Sakthi Kumar,
Government Advocate (Crl.).

ORDER

This petition is filed for a direction to direct the learned 1st Additional District Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989, Trichy, to consider the bail petition of the petitioners on the same day of surrender and dispose the same on merits and in accordance with law in crime No.11 of 2023 on the file of the 2nd respondent.

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 the possibility of misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the learned 1st Additional District Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989 Trichy, to



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consider the petitioner's bail application, preferably on the same day of their surrender in connection with Crime No. 11 of 2023 on the file of the 2nd respondent 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 petitioners shall surrender before the 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 petitioners 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 disposed of.

17.05.2023

Internet: Yes./No
Index : Yes/No
NCS : Yes /No
PMU

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To

1. 1st Additional District Sessions Judge
(Special Court for Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act 1989,
Trichy.
2. The Deputy Superintendent of Police,
Lalgudi Circle, Lalgudi,
Trichy District.
3. The Inspector of Police,
All Women police station,
Lalgudi,
Trichy District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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T.V.THAMILSELVI, J.

PMU

Order made in
CRL.O.P (MD) No.8552 of 2023

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