



Crl.O.P.(MD) No.8740 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 11.05.2023

CORAM

THE HONOURABLE MR. JUSTICE R. KALAIMATHI

CRL.O.P (MD) No.8740 of 2023

Vanumamalai

... Petitioner

Vs

1.The Deputy Superintendent of Police,
Valliyoor,
Tirunelveli District.

2.The Inspector of Police,
Kalakkad police station,
Tirunelveli District.
(Crime No.174 of 2023)

3.Raman

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned II Additional District and Sessions Judge (Special Court for PCR cases), Tirunelveli to consider the bail application of the petitioner in Cr.No.174 of 2023 on the same date of surrender and dispose the same on its merits in accordance with law.

For Petitioners : Mr.C.Susikumar
For Respondents : Mr.M.Vaikkam Karunanithi
No.1 and 2 : Government Advocate (Crl.side)



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ORDER

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This petition is filed for a direction to direct the learned II Additional District and Sessions Judge (Special Court for PCR cases), Tirunelveli to consider the bail application of the petitioner in Cr.No.174 of 2023 on the same date of surrender and dispose the same on its merits in accordance with law.

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 II Additional District and Sessions Judge (Special Court for PCR cases), Tirunelveli, to consider the petitioner's bail application, preferably on the same day of her surrender in connection with Crime No. 174 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)(3)&(5) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities Amendment) Act, 2015. The



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petitioner 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 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 disposed of.

11.05.2023

NCC : Yes / No
Internet: Yes./No
Index: Yes/no

Note: Issue order copy on 12.05.2023

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R. KALAIMATHI, J.

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To

1. The II Additional District and Sessions Judge
(Special Court for PCR cases), Tirunelveli.
- 2.The Deputy Superintendent of Police, Valliyoor, Tirunelveli District.
- 3.The Inspector of Police, Kalakkad police station, Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Order made in
CRL.O.P (MD) No.8740 of 2023

11.05.2023