



Crl.O.P.(MD) No.8813 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.05.2023

CORAM:

THE HONOURABLE **MRS. JUSTICE T.V.THAMILSELVI**

Crl.O.P.(MD) No.8813 of 2023

Kanchana

...Petitioner

Vs.

1.The Deputy Superintendent Of Police,
Papanasam, Thanjavur District.

2.The Inspector of Police,
Melatur Police Station,
Thanjavur District. Crime No.710/2023.

3.Vijayalakshmi

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the learned 1st Additional District and Sessions Judge(PCR) Court, Thanjavur to accept the surrender of the petitioner and consider her bail application on the same day on merit relating to Crime No.710 of 2023, dt.8/11/2022.

For Petitioner : Mr.S.Sathya Chidambaram

For Respondents : Mr.A.Albert James (R1 & R2)

Government Advocate



Crl.O.P.(MD) No.8813 of 2023

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ORDER

This petition has been filed seeking for a direction to the 1st Additional District and Sessions Judge (PCR) Court, Thanjavur to accept the surrender of the petitioner and consider her bail application on the same day on merits relating to the case in Crime No.710 of 2023, dated 08.11.2022.

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 I Additional District and Sessions Judge (PCR) Court, Thanjavur, to consider the petitioner's bail application, preferably on the same day of her surrender in connection with Crime No.710 of 2023 on the file of the second respondent and pass appropriate orders in accordance with law after affording due opportunity to the victim under



Crl.O.P.(MD) No.8813 of 2023

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Section 15(a) of the SC/ST Act. The 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.

17.05.2023

NCC:Yes/No
Index:Yes/No
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Crl.O.P.(MD) No.8813 of 2023

T.V.THAMILSELVI, J.

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To

- 1.The I Additional District and Sessions Judge (PCR) Court, Thanjavur.
- 2.The Deputy Superintendent Of Police,
Papanasam, Thanjavur District.
- 3.The Inspector of Police,
Melatur Police Station,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court.

Crl.O.P.(MD) No.8813 of 2023

17.05.2023