



Crl.O.P.(MD).No.1428 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 31.01.2024

CORAM:

THE HONOURABLE Mr. JUSTICE SATHI KUMAR SUKUMARA KURUP

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Selvi

... Petitioner/Accused No.2

Vs.

1.The Deputy Superintendent of Police,
Illuppur,
Pudukottai District.

2.The Inspector of Police,
Annavasal Police Station,
Pudukottai District.
(Crime No.2 of 2024)

...Respondents 1 & 2/Complainants

3.Selvaraj

...3rd Respondent/De-facto Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned Special Court for Schedule Caste/Schedule Tribe (Protection of Civil Rights), Pudukottai to consider the Petitioner's bail application on the same day in connection with the case in Crime No.2 of 2024 on the file of the second Respondent Police.

For Petitioner : Mr.R.Balakrishnan

For R-1 and R-2 : Mr.M.Veeranthiran
Government Advocate
(Criminal Side)



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ORDER

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This Criminal Original Petition had been filed seeking direction against the Special Court for Schedule Caste/Schedule Tribe (Protection of Civil Rights), Pudukottai to consider bail application of the Petitioner on the day of her surrender in Crime No.2 of 2024.

2. The learned Counsel for the Petitioner submitted that when the De-facto complainant went to the Petitioner's house for collecting money, the Petitioner along with her husband abused the De-facto complainant by using the caste name and also threatened him with dire consequences. In this regard, a complaint was preferred by the third respondent against the petitioner, based on which the case was registered in Crime No.2 of 2024 dated 03.01.2024 for the offences punishable under Sections 294(b), 506(2) IPC, 3(1)(r) , 3(1)(s), 3(2)(va) of Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act, 1989. Hence, the Petitioner is seeking direction against the Special Court for Schedule Caste/Schedule Tribe (Protection of Civil Rights), Pudukottai to consider her bail application on the day of her surrender.

3. The learned Government Advocate (Criminal Side) appearing for the Respondents 1 and 2 would submit that the Petitioner was arrayed as Accused No.2 and the Accused No.1 was her husband. The Petitioner along with her



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husband Accused No.1, have borrowed a sum of Rs.1,00,000/- (Rupees One Lakh only) from the De-facto complainant. When the De-facto complainant sought money back, the Petitioner is alleged to have abused him by using the caste name and also threatened him with dire consequences.

4. Considering the submissions made by the learned Government Advocate (Criminal Side) and the learned Counsel for the Petitioner, this Court directs the Petitioner to surrender before the Special Court for Schedule Caste/Schedule Tribe (Protection of Civil Rights), Pudukottai within 15 days from the date of receipt of a copy of this order or from the date of uploading the copy of this order in the official web-site of this Court.

5. On such surrender by the Petitioner and on filing an application for bail, the Special Court for Schedule Caste/Schedule Tribe (Protection of Civil Rights), Pudukottai, shall consider the bail application of the Petitioner and dispose of the same, after issuing notice to the victim of crime / De-facto complainant and after hearing their objections of the victim of the crime, pass appropriate orders as per law.



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6. With the above said direction, this Criminal Original Petition is disposed of.

31.01.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To

- 1.The Special Court for Schedule Caste/Schedule Tribe
(Protection of Civil Rights),
Pudukottai.
- 2.The Deputy Superintendent of Police,
Illuppur,
Pudukottai District.
- 3.The Inspector of Police,
Annavaasal Police Station,
Pudukottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

Nsr

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