



Crl.O.P.(MD) No.2776 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.02.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.2776 of 2024

Deepa

...Petitioner

VS

1. The Deputy Superintendent of Police
Thiruppathur Sub Division,
Thiruppathur,
Sivagangai District.

2.The Inspector of Police
S.V.Mangalam Police Station,
S.V.Mangalam,
Sivagangai District.
(In Crime No.18 of 2024)

3.Chellapandi

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Special Court for the Exclusive Trial for SC and ST Cases, Sivagangai District to accept the surrender of the Petitioner and consider her bail application on the same day on merits in relating to Crime No.18 of 2024 on the file of the second Respondent.



CrI.O.P.(MD) No.2776 of 2024

For Petitioner : Mr.R.Manickaraj

For R1 & R2 : Mr.M.Veeranthiran
Government Advocate (Crl. side)

ORDER

The learned Counsel for the Petitioner submitted that the Petitioner is the sole accused in Crime No.18 of 2024 pending on the filed of the Inspector of Police, S.V.Mangalam, Sivagangai District and the Petitioner had filed this Criminal Original Petition seeking direction against the learned Sessions Judge, Special Court for the Exclusive Trial of cases under SC and ST (Prevention of Atrocities) Act, Sivagangai District, to accept the surrender of the Petitioner and consider her bail application in Crime No.18 of 2024, pending before the second Respondent.

2. The learned Government Advocate (Criminal Side) appearing for the Respondents 1 and 2 would submit that the Grama Sabha meeting was held on 26.01.2024. The third Respondent also participated in the Grama Sabha meeting. In the meeting, the Petitioner is alleged to have abused the



Crl.O.P.(MD) No.2776 of 2024

third Respondent/de-facto complainant using his Caste name. Hence, the case was registered in Crime No.18 of 2024 under the provisions of SC/ST (Prevention of Atrocities) Act, based on the complaint of the third Respondent with the second Respondent. There is no previous case pending against the Petitioner

3. 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 learned Sessions Judge, Special Court for the Exclusive Trial of cases under SC and ST (Prevention of Atrocities) Act, Sivagangai District, 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.

4. On such surrender by the Petitioner and on filing an application for bail, the learned Sessions Judge, Special Court for the Exclusive Trial of cases under SC and ST (Prevention of Atrocities) Act, Sivagangai District, shall consider the bail application of the Petitioner, after issuing notice to the victim of crime/De-facto Complainant and after hearing the objections



Crl.O.P.(MD) No.2776 of 2024

of the victim of the crime, shall pass appropriate orders as per law.

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

22.02.2024

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

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To

1. The Special Court for PCR Cases,
Sivagangai District.
2. The Deputy Superintendent of Police
Thiruppathur Sub Division,
Thiruppathur,
Sivagangai District.
3. The Inspector of Police
S.V.Mangalam Police Station,
S.V.Mangalam,
Sivagangai District.

4/6



Crl.O.P.(MD) No.2776 of 2024

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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Crl.O.P.(MD) No.2776 of 2024

SATHI KUMAR SUKUMARA KURUP, J.

Jbr

CRL.O.P (MD) No.2776 of 2024

22.02.2024