



CrI.O.P.(MD) No.7579 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 22.05.2024

CORAM

THE HON'BLE MRS.JUSTICE S.SRIMATHY

CRL.O.P (MD) No.7579 of 2024

S.Pitchammal

... Petitioner

Vs.

1.The State rep., by the
Deputy Superintendent of Police,
Nanguneri Sub-Division,
Tirunelveli District.

2.The Inspector of Police,
Moolakaraipatty Police Station,
Tirunelveli District.
(Crime No.170 of 2022)

3.G.Satheesh Kumar

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the II Additional District & Sessions Judge (Special Court for PCR Cases), Tirunelveli, to consider her bail application on the same day of her surrender in respect of Crime No.70 of 2022, on the file of the second respondent, pending investigation.

For Petitioner : Mr.P.Rajesh
For R1 & R2 : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor



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ORDER

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This petition has been filed seeking for a direction to the II Additional District & Sessions Judge (Special Court for PCR Cases), Tirunelveli, to consider and dispose of the petitioner's bail application on the same day of her surrender in respect of Crime No.170 of 2022, on the file of the second 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 II Additional District & 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.170 of 2022, on the file of the second 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 petitioner shall surrender before the concerned jurisdictional Court within a period of fifteen days from the date of receipt of a copy of this Order.



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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.

22.05.2024

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



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To

1.The learned II Additional District & Sessions Judge,
(Special Court for PCR Cases),
Tirunelveli.

2.The Deputy Superintendent of Police,
Nanguneri Sub-Division,
Tirunelveli District.

2.The Inspector of Police,
Moolakaraipatty Police Station,
Tirunelveli District.

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



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S.SRIMATHY, J.

MR

ORDER IN
CRL.O.P (MD) No.7579 of 2024

22.05.2024