



Crl.O.P.(MD)No.18010 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.10.2024

CORAM

**THE HON'BLE MR.JUSTICE K.MURALI SHANKAR**

Crl.O.P.(MD)No.18010 of 2024

Paritha Banu @ Banu

... Petitioner

Vs.

1.The Deputy Superintendent of Police,  
Keeranur Police Station,  
Dindigul District.  
Crime No.174 of 2024

2.The Sub-Inspector of Police,  
Keeranur Police Station,  
Dindigul District.

3.Kavitha

... Respondents

**PRAYER :** Criminal Original Petition filed under Section 528 of BNSS, to direct the Special Judge for Trial of SC/ST cases, Dindigul to accept the surrender of the petitioner/accused in connection with Crime No.174 of 2024 on the file of the second respondent and to consider the petitioner's bail application on the same day.

For Petitioner : Mr.S.Kishore Kumar

For R1 & R2 : Mr.P.Kottai Chamy  
Government Advocate (Crl. Side)



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### **ORDER**

This Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders to direct the learned Special Judge for Trial of SC/ST cases, Dindigul to accept surrender of the petitioners and consider their bail application on the same day and merits in relating to Crime No.174 of 2024 dated 06.10.2024 on the file of the second respondent police.

2.The petitioner is the accused for the offence punishable under Sections 296(b), 115(2), 118(1) BNS, Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 and Sections 3(1)(r), 3(1)(s), 3(2)(va) of the Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act, 1989 in Crime No.174 of 2024, pending on the file of the second respondent police and apprehending arrest, she has filed the present petition.

3.Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2 and perused the materials available on record.



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4.The learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2 would submit that the petitioner is not having any previous cases and that the injured person has already been discharged from the hospital.

5.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 Special Judge for Trial of SC/ST cases, Dindigul, to consider the petitioner's bail applications, preferably on the same day of her surrender in connection with Crime No.174 of 2024 on the file of the second respondent police 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 the receipt of a copy of this order.



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6. 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 favorably.

7. With the above direction, this Criminal Original Petition stands allowed.

**21.10.2024**

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



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To  
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- 1.The Special Judge for Trial of SC/ST cases, Dindigul
- 2.The Deputy Superintendent of Police,  
Keeranur Police Station,  
Dindigul District.
- 3.The Sub-Inspector of Police,  
Keeranur Police Station,  
Dindigul District.
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**K.MURALI SHANKAR,J.**

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