



*Crl.O.P.(MD)No.18733 of 2024*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.10.2024

CORAM

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

Crl.O.P.(MD)No.18733 of 2024

S.Muthulakshmi

... Petitioner

Vs.

1.The Deputy Superintendent of Police,  
O/o.Deputy Superintendent of Police,  
Trichy.

2.The Inspector of Police,  
Kanakiliyanallur Police Station,  
Trichy District.  
(Crime No.142 of 2024)

3.Rajasekaran

... Respondents

**PRAYER :** Criminal Original Petition filed under Section 528 of BNSS, to direct the learned I Additional Sessions Court (PCR), Trichy to consider the bail application of the petitioner concerned in Crime No.142 of 2024 on the file of the Inspector of Police, Kannakiliyanallur Police Station, Trichy District/first respondent herein.



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For Petitioner : Mr.S.Ramsundarvijayraj

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

**ORDER**

This Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders to direct the I Additional Sessions Court (PCR), Trichy to accept the surrender of the petitioner and consider her bail application on the same day on merits in relating to Crime No.142 of 2024 on the file of the second respondent police.

2. The petitioner is the third accused for the offences punishable under Sections 296(b), 118(1), 127 and 351(3) BNS and Sections 3(l)(r), 3(l)(s) and 3(2)(va) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act, 1989 in Crime No.142 of 2024, pending on the file of the second respondent police and apprehending arrest, he has filed the present petition.

3. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Criminal Side) appearing for the



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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 accused 1 and 2 were already arrested and released on bail, that the petitioner is not having any previous cases and that the injured was 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 I Additional Sessions Court (PCR), Trichy, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.142 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.

**29.10.2024**

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

To

- 1.The I Additional Sessions Court (PCR),  
Trichy.
- 2.The Deputy Superintendent of Police,  
O/o.Deputy Superintendent of Police,  
Trichy.
- 3.The Inspector of Police,  
Kanakiliyanallur Police Station,  
Trichy District.



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



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**K.MURALI SHANKAR,J.**

csn

Order made in  
Crl.O.P.(MD)No.18733 of 2024

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