

R. Chithra Vs. The Inspector of Police, Madurai District

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Court : Chennai Madurai

Decided On : May-11-2016

Judge : P. Kalaiyarasan

Appeal No. : Crl.O.P.(MD) No. 7958 of 2016

Appellant : R. Chithra

Respondent : The Inspector of Police, Madurai District

Judgement :

(Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned III Additional District and Sessions Judge (PCR Cases), Madurai, to consider the petitioner's bail application and dispose the same on the same day, if the petitioner surrender before the learned III Additional District and Sessions Judge (PCR Cases), Madurai, in Crime No.126 of 2016, on the file of the respondent.)

1. This petition has been filed, seeking to direct the learned III Additional District and Sessions Judge (PCR Cases), Madurai, to consider the petitioner's bail application and dispose the same on the same day, if the petitioner surrender before the learned III Additional District and Sessions Judge (PCR Cases), Madurai, in Crime No.126 of 2016, on the file of the respondent.

2. Learned counsel for the petitioner submits that the petitioner has been implicated in this case for the alleged offences under Sections 294(b) and 323 of

IPC and Section 4 of Women Harassment Act r/w. Section 3(1)(x) of SC/ST Act, in Crime No.126 of 2016 and that in view of the specific bar under Section 18 of the said Act, the petitioner cannot move any anticipatory bail application and therefore, the petitioner has come forward with the said prayer.

3. Learned Government Advocate (Criminal side) takes notice for the respondent.

4. Considering the submissions of both sides and also considering the nature of the prayer in this case in view of the specific bar under Section 18 of the S.C. and S.T. (Prevention of Atrocities) Act that the petitioner cannot move any anticipatory bail, the learned III Additional District and Sessions Judge (PCR Cases), Madurai, is directed to accept the surrender of the petitioner and consider her bail application, in the event of the petitioner filing such petition in Crime No.126 of 2016 on the file of the respondent police, and dispose of the same on merits and in accordance with law on the same day.

With this observation, this petition is disposed of accordingly.

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