

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.05.2021

Coram

The Honourable Mr. Justice G. CHANDRASEKHARAN

Crl.O.P.No.9116 of 2021

Salaman Raj

...Petitioner

Versus

The State Rep. by
The Inspector of Police,
Kuniyamuthur Police Station,
Coimbatore.
(Crime No.114 of 2021)

...Respondent

This Criminal Original Petition is filed under Section 482 of Cr.P.C praying to direct the Principal District and Sessions Judge, Coimbatore to consider the bail application of the petitioner in Crime No.114 of 2021 on the file of the respondent police on the same day of filing.

For Petitioner	:	Mr.A.Sathasivam
For Respondent	:	Mr.Charles Premkumar, Government Advocate (Crl.Side)

O R D E R

The relief sought for in this petition is to direct the Principal District and Sessions Judge, Coimbatore to consider the bail application of the petitioner in Crime No.114 of 2021 on the file of the respondent police on the same day of filing.

2. It is the case of the prosecution that one Rangasamy, father of the defacto complainant was working as permanent conservancy staff in Sethapathi Government Maternity Hospital, R.S.Puram, Coimbatore. It is alleged in the FIR that the said Rangasamy saw A1 and A2 in the compromising position in the hospital. The said A1 & A2 were afraid that the said Rangasamy would reveal their said action to others and therefore, the said A1 & A2 along with the petitioner had made false allegations against the said Rangasamy, due to which, the said Rangasamy was suspended by the Hospital Management. As a result, the said Rangasamy had committed suicide by consuming poison and died since he was not able to bear his suspension. Therefore, the defacto complainant/daughter of the deceased Rangasamy had given

a complaint against the petitioner and a case was registered against the petitioner in Crime No.114 of 2021 for the offences under Section 306 of IPC.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he was falsely implicated in this case.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that the case was initially registered under Section 306 IPC and thereafter, the Section was altered to Section 306 IPC r/w. Section 3(2)(v) of the SC/ST Act. He would further submit that he has serious objection to this petition being allowed since the petitioner is the accused who abetted the deceased to commit suicide.

5. As far as this case is concerned, there is no prayer for surrender of the petitioner. This petition is filed seeking a direction to consider the bail application of the petitioner on the same day of his surrender. However, considering the facts and circumstances of the case, this Court issues the following directions:

(i) The petitioner is directed to file a surrender petition along with the bail petition before the learned Principal District and Sessions Judge, Coimbatore after giving notice to the defacto complainant.

(ii) On filing of such petition, the learned Principal District and Sessions Judge, Coimbatore shall consider and dispose of the same on merits and in accordance with law on the same day of petitioner's surrender, after issuing notice to the defacto complainant under Section 15(A) of the SC/ST Act.

6. With the above observations, this Criminal Original Petition is disposed of.

Sd/-

Vacation Officer

//True Copy//

Sub Assistant Registrar

srn

To

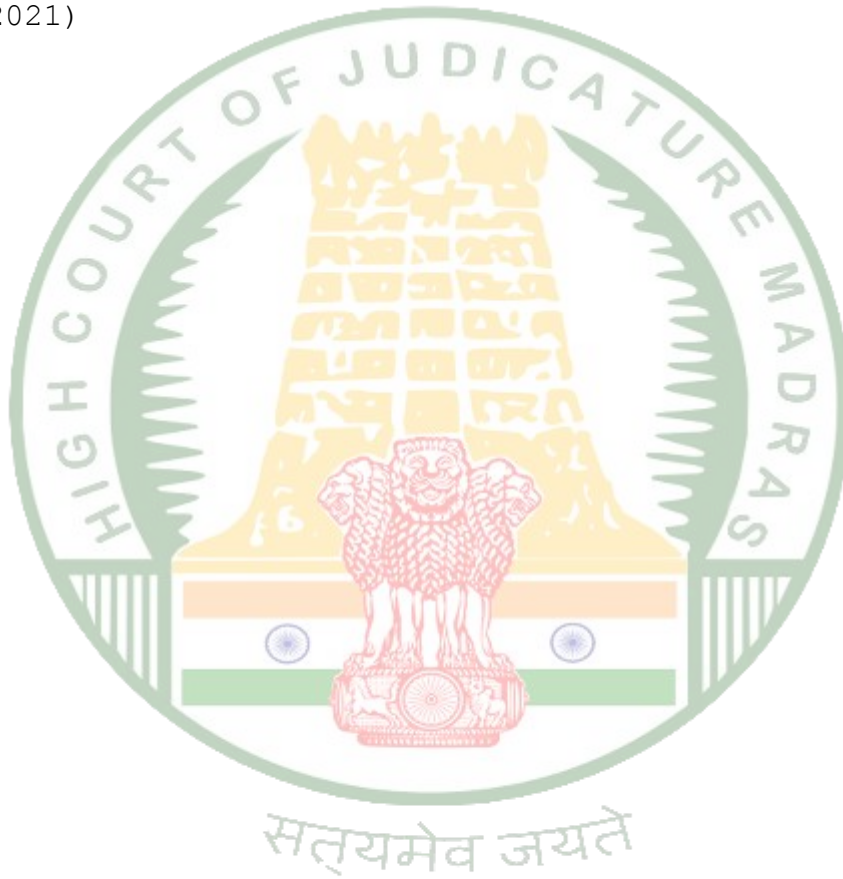
1.The Principal District and Sessions Judge,
Principal District and Sessions Court, Coimbatore.

2.The Inspector of Police,
Kuniyamuthur Police Station,
Coimbatore.

3.The Public Prosecutor,
High Court of Madras,
Chennai - 600 104.

Cr1.O.P.No.9116 of 2021

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GN(17/06/2021)



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