



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.07.2021

CORAM:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Cr1.O.P.No.12404 of 2021

1. Nagaraj
2. Yuvaraj
3. Pradeep @ Parthasarathi
4. Nagaraj
5. Abi @ Abishek
6. Venkatajalapathi
7. Narayanasamy

...Petitioners/Accused No.1, 4 to 9

Vs.

The State represented by
The Inspector of Police,
Berigai Police Station,
Krishnagiri District.

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the learned Principal District and Sessions Judge, Krishnagiri, to consider the petitioner's bail application on their surrender in Crime No.100 of 2021 pending on the file of the respondent police.

For Petitioners : Mr.E.Kannadasan
For Respondent : Mr.A.Damodaran
Counsel for Govt. of Tamilnadu

ORDER

This criminal original petition has been filed seeking to direct the learned Principal District and Sessions Judge, Krishnagiri, to consider the bail application on surrender of the petitioners in Crime No.100 of 2021 pending on the file of the respondent police.

2 Heard the learned counsel for the petitioner and the learned counsel for Government of Tamilnadu appearing on behalf of the respondent.

3 It is seen that the petitioners were charged for the offences under Sections 147, 294(b), 323 of IPC and Sections 3



(1)(r), 3(1)(s), 3(2)(va) of Schedule Case and Schedule Tribes (Prevention of Atrocities) Amendment Act, 2015 and they have filed petition before the learned Principal District and Sessions Judge, Krishnagiri, seeking bail, which is pending. Now, the petitioners sought direction to the learned Principal District and Sessions Judge, Krishnagiri to consider the petition seeking bail filed by the petitioners.

4 This Court is of the considered view that invoking Section 482 of Cr.P.C. by the petitioners for the prayer sought for in this petition is nothing, but an abuse of process of law, since they approached the designated Court and sought bail, which is yet to be decided by the Court below. Under such circumstances, the petitioner rushed this Court and seeking direction as stated supra, which this Court is not inclined to grant.

5 Accordingly, this criminal original petition stands dismissed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Principal District and Sessions Judge,
Krishnagiri.
2. The Inspector of Police, Berigai Police Station,
Krishnagiri District.
3. The Public Prosecutor,
High Court of Madras.

CrI.O.P.No.12404 of 2021

UM(CO)
SP(10/08/2021)