



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.90 of 2022

1.P.Harikrishnan

2.P.Aneesh

... Petitioners/ Accused 2 & 3

Versus

1.The Assistant Commissioner of Police,
Coimbatore South,
Coimbatore District.

2.State rep. by its
The Inspector of Police,
PODHANUR Police Station,
Coimbatore District,
(Crime No.1326 of 2021)

... Respondents/ Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Principal District and Sessions Judge, (Special Judge), SC/ST Act Cases, Coimbatore District to consider the bail application filed by the petitioners on their surrender in connection with Crime No.1326 of 2021 on the file of the second respondent police on the same day.

For Petitioners : Mr.W.Camyles Gandhi

For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed to direct the learned Principal District and Sessions Judge, (Special Judge), SC/ST Act Cases, Coimbatore District to consider the bail application filed by the petitioners on their surrender in connection with Crime No.1326 of 2021 on the file of the second respondent police on the same day.

2.In view of the amendments made in the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989,



this Court is of the view that the usual directions that were issued by this Court cannot be issued routinely in all cases. Therefore, the petitioners are directed to surrender before the trial Court within a period of two weeks from the date of receipt of a copy of this order and on such surrender, the learned Principal District and Sessions Judge, (Special Judge), SC/ST Act Cases, Coimbatore District, shall deal with the matter on the same day on merits and in accordance with law, after issuing notice to the victims under Section 15-A (3) of the SC/ST Act. It makes it clear that without going into the merits of this case, this Court is inclined to dispose the matter and it is for the trial Court to decide the case on its own merit.

3.This Criminal Original Petition is disposed of with the above directions.

Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

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To

1.The Principal District and Sessions Judge,
(Special Judge),
SC/ST Act Cases,
Coimbatore District.

2.The Assistant Commissioner of Police,
Coimbatore South,
Coimbatore District.

3.The Inspector of Police,
PODHANUR Police Station,
Coimbatore District

4.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.W.Camyles Gandhi, Advocate, S.R.No.936

CRL.O.P.No.90 of 2022

KV(CO)
SB(04/01/2022)