



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.1710 of 2022

- 1.Boopathi @ Boopathi Raj
- 2.Selvan @ Selvakumar
- 3.Rasu @ Ramasamy
- 4.Gayathri

...Petitioners/Accused 1 to 4

Versus

1. State rep. by
The Deputy Superintendent of Police,
Pollachi,
Coimbatore District.

2. State rep. by,
The Inspector of Police,
Pollachi Taluk Police Station,
Coimbatore District.
Crime No.16 of 2022.

...Respondents/Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Principal District and Sessions Judge, Coimbatore (Special Judge for SC/ST Act cases) to consider the petitioners bail application to be filed on the same day on their surrender in Crime No.16 of 2022 pending investigation on the file of the respondent.

For Petitioners	:	Mr.M.N.Balakrishnan
For Respondents	:	Mr.E.Raj Thilak Additional Public Prosecutor

O R D E R

This Criminal Original Petition is filed to direct the learned Principal District and Sessions Judge, Coimbatore (Special Judge for SC/ST Act cases) to consider the petitioners bail application to be filed on the same day on their surrender in Crime No.16 of 2022 pending investigation on the file of the respondent.

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, Coimbatore (Special Judge for SC/ST Act cases), 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 III)

//True Copy//

Sub Assistant Registrar

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To

- 1.The learned Principal District and Sessions Judge,
Coimbatore. (Special Judge for SC/ST Act cases)
- 2.The Deputy Superintendent of Police,
Pollachi, Coimbatore District.
- 3.The Inspector of Police,
Pollachi Taluk Police Station,
Coimbatore District.
- 4.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.N.Balakrishnan, Advocate, S.R.No.6144

CRL.O.P.No.1710 of 2022

CNR(CO)
KKV/01/02/2022