



Crl.O.P.No.25292 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2022

CORAM

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Crl.O.P.No.25292 of 2022

Babu

...

Petitioner

/vs/

The Inspector of Police,
R.S.Puram Police Station,
Coimbatore.

...

Respondent

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the learned District Judge, Coimbatore to accept the surrender of the petitioner and to consider the anticipatory bail petition on the same day in Crime No.395 of 2022 on the file of the respondent.

For Petitioner

...

Ms.Kanimozhi Mathi

For Respondent

...

Mr.S.Santhosh
Government Advocate (crl.side)



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ORDER

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This Criminal Original Petition has been filed seeking for a direction to the learned District Judge, Coimbatore to accept the surrender of the petitioner and to consider the anticipatory bail petition on the same day in Crime No.395 of 2022 on the file of the respondent.

2. In view of the specific bar under Section 18 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and also taking into consideration of the possibility of misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the learned District Judge, Coimbatore, to consider the petitioner's anticipatory bail application, preferably on the same day of his surrender in connection with Crime No.395 of 2022 on the file of the respondent and pass appropriate orders in accordance with law, after affording due opportunity to the victims under Section 15-A of the SC/ST (POA) Act, 1989. The petitioner shall surrender before the concerned Jurisdictional Court, within a period of fifteen days from the date of the receipt of a copy of this Order.



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3. It is needless to say that the Court below while disposing the bail petition shall look into the gravity of the offence, previous antecedents of the petitioner and pass orders. Mere direction issued by this Court to consider the bail petition on the same day, does not amount to consider it favourably.

4. In view of the above, the Criminal Original Petition stands allowed.

19.10.2022

Index: Yes/No

Internet: Yes/No

Speaking/Non speaking order

shk

Note: Issue order copy on 19.10.2022

To

1. The learned District Judge, Coimbatore
Vellore District (Special Court for SC & ST Act)

2. The Inspector of Police,
R.S.Puram Police Station,
Coimbatore.

3. The Public Prosecutor,
High Court, Madras.



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V.SIVAGNANAM ,J.

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