



CrI.O.P.No.29708 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2022

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

CrI.O.P.No.29708 of 2022

Govindaraj @
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...Petitioner

vs.

1. The Deputy Superintendent of Police
Tiruppur District,
Tiruppur.

2. The State rep. by its
The Inspector of Police,
Avinashi Police Station,
Tiruppur District

...Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C., praying to direct the learned Principal District and Sessions Judge, Tiruppur to consider the petitioner's bail application on the same day of his surrender in Crime No.598 of 2022 on the file of the 2nd respondent police.

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For Petitioner : Mr.C.S.Saravanan



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For Respondents : Mr.S.Santhosh for R1 & R2
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed seeking for a direction to direct the learned Principal District and Sessions Judge, Tiruppur to consider the petitioner's bail application on the same day of his surrender in Crime No.598 of 2022 on the file of the 2nd respondent police.

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 misuse of the stringent provision against innocent persons, there shall be a direction to the learned Principal District and Sessions Judge, Tiruppur to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.598 of 2022 on the file of the 2nd 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



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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, this Criminal Original Petition stands allowed.

02.12.2022

Index: Yes/No

Internet: Yes/No

Speaking/Non speaking order
msr

Note: Issue order copy on 02.12.2022

To

1. The Principal District and Sessions Judge, Tiruppur
2. The Deputy Superintendent of Police
Tiruppur District, Tiruppur.
3. The Inspector of Police,
Avinashi Police Station,
Tiruppur District.
4. The Public Prosecutor,
High Court, Madras.



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R.N. MANJULA, J.

msr

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