



CrI.O.P.No.30959 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2022

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

CrI.O.P.No.30959 of 2022

1. Savithri
 2. Vishnu @ Vinithkumar
 3. Rajammal
 4. Rani
 5. Karthik @ Karthik Lenin
- ... Petitioners

VS.

1. State represented by,
The Deputy Superintendent of Police,
Coimbatore,
Coimbatore District.
 2. State represented by,
The Inspector of Police,
Karamadai Police Station,
Coimbatore District.
(Crime No.609 of 2022)
- ... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. 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



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in Crime No.609 of 2022 pending investigation on the file of the second respondent.

For Petitioners : Mr.M.N.Balakrishnan

For Respondents : Mr.S.Santhosh
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed seeking for a direction to the learned Principal District and Sessions Judge, (Special Judge for SC/ST Act cases), Coimbatore to accept the surrender of the petitioners in connection with the Crime No.609 of 2022 on the file of the second respondent police and to consider the petitioners' bail application on the same day.

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 Principal District and Sessions Judge, (Special Judge for SC/ST Act cases), Coimbatore to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime



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No.609 of 2022 on the file of the second 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 petitioners 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.

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 petitioners 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.

15.12.2022

Index: Yes/No
Internet: Yes/No
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G.CHANDRASEKHARAN, J.

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To

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

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