



Crl.O.P.No.2647 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.2647 of 2023

- 1.Govindhu @ Govindaraj
- 2.Punitha
- 3.Jayabal
- 4.Pilavendhiran

...

petitioners

/vs/

- 1.State Represented By:-

The Deputy Superintendent of Police,
Thiruvarur Sub - Division,
Thiruvarur District.

- 2.The Inspector of Police,
Koothanallur Police Station,
Thiruvarur District.

(Crime No.20 of 2023)

...

Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the learned 1st Additional District Sessions Court (PCR) Judge, Thanjavur to consider the bail petition preferred by the petitioners upon their surrender in Crime No.20 of 2023 on the file of the 1st respondent police on the same day.

For petitioners

... Mr.Swamisubramanian

For Respondents

... Mr.S.Santhosh



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Government Advocate (crl.side)



ORDER

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This Criminal Original Petition has been filed seeking for a direction to the learned 1st Additional District Sessions Court (PCR) Judge, Thanjavur to consider the bail application filed by the petitioners on their surrender in connection with Crime No.20 of 2023 for the offence under Sections 264(b), 324 and 506(2) of IPC, Section 4 of TN Prohibition of Harassment of Women Act, 2002 and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST (Prevention of Atrocities) Act, 1989, on the file of the second respondent police 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 1st Additional District Sessions Court (PCR) Judge, Thanjavur, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.20 of 2023 for the offence under Sections 264(b), 324 and 506(2) of IPC, Section 4 of TN Prohibition of Harassment of Women Act, 2002 and Sections 3(1)(r), 3(1)(s) and



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3(2)(va) of SC/ST (Prevention of Atrocities) Act, 1989, 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.

08.02.2023

Index: Yes/No

Internet: Yes/No

Speaking/Non speaking order

mpl



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G.CHANDRASEKHARAN, J.

mpl

To

- 1.The 1st Additional District Sessions Court (PCR) Judge,
Thanjavur.
2. The Deputy Superintendent of Police,
Thiruvarur Sub - Division,
Thiruvarur District.
- 3.The Inspector of Police,
Koothanallur Police Station,
Thiruvarur District.
- 4.The Public Prosecutor,
High Court, Madras.

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