



WEB COPY



Crl.O.P.No.6095 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.6095 of 2023

1. Kanagaraj
2. Parvathy

... Petitioners

Vs

- 1.The Deputy Superintendent of Police,
Coimbatore.

2. State represented by
The Inspector of Police,
Annur Police Station,
Coimbatore.

(Crime No.140 of 2023)

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C to direct the learned Principal District and Sessions Judge, at Coimbatore to consider the bail application of the petitioner on the same day on merits in connection with Crime No.140 of 2023, on the file of the respondent.

For Petitioners ... Mr.S.Senthilvel

For Respondents ... Mr.S.Santhosh
Government Advocate (Crl.side)

ORDER



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This Criminal Original Petition has been filed to direct the learned Principal District and Sessions Judge, at Coimbatore, to accept the surrender of the petitioners and consider their bail petition on the same day in Crime No.140 of 2023 pending on the file of the 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 misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the learned Principal District and Sessions Judge, at Coimbatore, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.140 of 2023 on the file of the Respondent Police 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



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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.

16.03.2023

Index: Yes/No
Internet: Yes/No
Speaking/Non speaking order
mn



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G.CHANDRASEKHARAN, J.

mn

To

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

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