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CrI.O.P.No.14526 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

CrI.O.P.No.14526 of 2023

Vignesh

... Petitioner

/vs/

1. The Assistant Commissioner of Police,
Coimbatore South,
Coimbatore District.

2. The Sub Inspector of Police,
Kuniamuthur Police Station,
Coimbatore District.

... 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 to entertain, consider and dispose of the bail application of the petitioner when he surrenders before the Court in Crime No.172 of 2023 on the file of the Respondent Police on the same day.

For Petitioner

... M/s.K.Govi Ganesan

For Respondents

... Mr. Leonard Arul Joseph Selvam
Government Advocate (crl.side)



Crl.O.P.No.14526 of 2023

ORDER

This Criminal Original Petition has been filed seeking direction to the learned Principal District and Sessions Judge, Coimbatore to consider the petitioner bail application to be filed on the same day on his surrender in Crime No.172 of 2023 pending disposal of the case.

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 Principal District and Sessions Judge, Coimbatore to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.172 of 2023 registered for the offences under Sections 147, 420 of IPC read with Section 3(2)(v) of Scheduled Castes and Scheduled Tribes (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 petitioner shall surrender before the concerned Jurisdictional Court, within a period of fifteen days from the



Crl.O.P.No.14526 of 2023

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.

30.06.2023

Index: Yes/No
Internet: Yes/No
Speaking/Non speaking order
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Crl.O.P.No.14526 of 2023

G.CHANDRASEKHARAN, J.

Sma

To

1. The Assistant Commissioner of Police,
Coimbatore South,
Coimbatore District.
2. The Sub Inspector of Police,
Kuniamuthur Police Station,
Coimbatore District.
3. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.14526 of 2023

30.06.2023