



Crl.O.P.No.1312 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.1312 of 2023

P.Jeyakumar

... Petitioner

/vs/

1. The Deputy Commissioner of Police,
Coimbatore.

2. The State rep by the Inspector of Police,
Sulthanpettai Police Station,
Coimbatore.

Crime No.59 of 2022

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the Principal District and Sessions Judge, Coimbatore to accept the surrender of the petitioner in connection with Spl.S.C.No.206 of 2022 on the same day.

For Petitioner

... Mr.J.Kingsly Solomon

For Respondent

... Mr.S.Santhosh
Government Advocate (crl.side)



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ORDER

This Criminal Original Petition has been filed seeking for a direction to the Principal District and Sessions Judge, Coimbatore to accept the surrender of the petitioner in connection with Spl.S.C.No.206 of 2022 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 Principal District and Sessions Judge, Coimbatore to consider the petitioner' bail application, preferably on the same day of their surrender in connection with Crime No.59 of 2022 registered for the offences under Sections 147, 148, 294(b), 323, 427, 355, 307 of IPC and Section 4 of Women Harassment Act, 2002 read with Section 3(1)(r), Section 3(1)(S), Section 3(1)(u) and Section 3(2)(va) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities Act) 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 petitioner shall surrender before the concerned Jurisdictional



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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 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.

27.02.2023

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



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G.CHANDRASEKHARAN, J.

Sma

To

1. Principal District and Sessions Judge,
Coimbatore.
2. The Deputy Commissioner of Police,
Coimbatore.
3. The State rep by the Inspector of Police,
Sulthanpettai Police Station,
Coimbatore.
4. The Public Prosecutor,
High Court, Madras.

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