



WEB COPY



Crl.O.P.No.23210 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.23210 of 2023

John Jebasingh

... Petitioner

Vs.

1.The Assistant Commissioner of Police,
Coimbatore Central Sub Division,
Coimbatore District.

2.State Rep.by
The Inspector of Police,
Race Course Police Station,
Coimbatore City,
Coimbatore District.
Crime No.382 of 2022

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleased to direct the learned District and Sessions Judge, Coimbatore to consider the bail application of the petitioner on the same day in the event of his surrender in connection with Crime No.382 of 2022 on the file of the 2nd respondent police.

For Petitioner : Mr.P.Anbalagan

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



ORDER

This Criminal Original Petition is filed to direct the learned District and Sessions Judge, Coimbatore to consider the bail application on surrender.

2. The absconding accused cannot expect that his bail application should be considered on the same day itself, such a direction cannot be given to the Court below by this Court in exercising of power under Section 482 of Criminal procedure Code, 1973. More particularly, when the offence is under SC/ST Act and there is a mandatory requirement under the statute that the defacto-complainant must be heard before considering the bail petition.

3. In Such circumstances, there no merit in this petition. Hence this Criminal Original Petition is dismissed. It is open for the petitioner to approach the trial Court and get appropriate remedy.

12.10.2023

Index : Yes/No
Neutral Citation : Yes/No
rpl



Crl.O.P.No.23210 of 2025

To

WEB COPY

1.The District and Sessions Judge, Coimbatore.

2.The Assistant Commissioner of Police,
Coimbatore Central Sub Division,
Coimbatore District.

3.The Inspector of Police,
Race Course Police Station,
Coimbatore City,
Coimbatore District.

4. The Public Prosecutor,
High Court, Madras.



WEB COPY



Crl.O.P.No.23210 of 2023

Dr.G.JAYACHANDRAN,J.

rpl

Crl.O.P.No.23210 of 2023

12.10.2023