



WEB COPY

Crl.O.P.No.23992 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2023

CORAM

THE HONOURABLE DR.JUSTICE G. JAYACHANDRAN

Crl.O.P.No.23992 of 2023

1.R.Suganya

2.V.Velu

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Coimbatore District,
Coimbatore.

2.The State rep. by the Inspector of Police,
Perianaickenpalayam Police Station,
Coimbatore – 20.
(Crime No.424 of 2023)

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, pleaded to direct the Judicial Magistrate No.5, Coimbatore to consider the surrender application and bail application on the same day filed by the petitioners in Crime No.424 of 2023, on the file of the second respondent.

For Petitioners

: Mr.J.Pothiraj

For Respondents

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



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ORDER

This Criminal Original Petition is filed seeking direction to consider the Bail application of the petitioners herein, who apprehend arrest for the offence under SC/ST Act.

2. Since there is a provision under Section 15A of the SC/ST Act, which mandate that before entertaining any application for bail, the victim/ defacto-complainant should be informed and put to notice. In such circumstances, the prayer sought in this petition if allowed will defeat the mandatory provision. Therefore, this Criminal Original Petition is dismissed.

20.10.2023

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

rpl

To

1. The Judicial Magistrate No.5, Coimbatore

2.The Deputy Superintendent of Police,
Coimbatore District,
Coimbatore.



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3.The Inspector of Police,
Perianaickenpalayam Police Station,
Coimbatore – 20.

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4.The Public Prosecutor,
Madras High Court,
Chennai.



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Dr.G.Jayachandran, J.

rpl

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