IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 19.12.2018

CORAM:
THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
Crl.O.P.No.29794 of 2018

Santhosh : Petitioner/Sole Accused

Vs.

State rep. by
The Sub-Inspector of Police,
Nemili Police Station,
Nemilil, Vellor District. : Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to direct the learned District and Sessions Judge, Vellore to accept the surrender of the petitioner in Crime No.290 of 2018 on the file of the respondent police and consider the Bail Application.

For Petitioner : Mr.M.Mohammed Rafi for
Mr.C.Puuniakoti

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This petition has been filed seeking for a direction to the Learned District and Sessions Judge, Vellore, to consider the bail application of the petitioner herein on the day of surrender pertaining to the Crime No.290 of 2018, on the file of the first respondent police.

2.In view of the amendments made in the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, this Court is of the view that the usual directions that were issued by this Court cannot be issued routinely in all cases. Therefore, the petitioner is directed to surrender before the trial Court within a period of two weeks from the date of receipt of a copy of this order and on such surrender, the learned Special Judge shall deal with the matter on the same day on merits and in accordance with law, after issuing notice to the victims under Section 15 (A) of the SC/ST Act.

3.The petitioner is directed to file an affidavit before the Court below by giving an undertaking that he will not indulge in abusing people under caste name. The Court below shall consider his application for bail only after the petitioner gives such an undertaking affidavit.

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4.In view of the above, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ia/vsg1

To:

1.The District and Sessions Judge,
Vellore.

2.The Sub-Inspector of Police,
Nemili Police Station,
Nemilil, Vellor District.

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

+1cc to Mr.G.Punniyakotti, Advocate, S.R.No.88525

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RJI(CO)

rrs 10/01/2018

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