

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 06.05.2021
CORAM
THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN
Crl.O.P.No.8694 of 2021

Arul @ Arulkumar

.. Petitioner/Accused

Vs.

State rep. by
The Inspector of Police,
Karumalaikoodal Police Station,
Salem District
(Crime No.77 of 2021)

.. Respondent/Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the Principal Sessions Court, Salem cum Special Judge under SC & ST (P.A.) Act Salem to consider the bail application of the petitioner on his surrender in connection with the case in Crime No.77 of 2021 pending on the file of the Inspector of Police, Karumalaikoodal Police Station, Salem District on the same day.

For Petitioner : Mr. M.Senthil Kumar

For Respondent : Ms.V. Saradha Devi,
Government Advocate (Crl side)

ORDER

This petition has been filed seeking direction to the Principal Sessions Judge (SC & ST Court), Vellore District, to consider the bail petition of the petitioners on the same day in the event of surrender by the petitioners in Crime No.77 of 2021, on the file of the respondent police.

2. Heard the learned counsel on either side.

3. It is stated that the injured has been discharged. The petitioner seeks leave to surrender before the jurisdictional Court and he wants his bail petition to be considered on the same day.

4. Since the case arises under Section 15(A) of the SC/ST Act the defacto complainant must be put on notice. The petitioner is permitted to send advance notice to the defacto complainant/victim intimating the date of his surrender. The said notice be sent through registered post to the last known correct address of the defacto complainant along with the surrender petition. The original postal receipt together with proof of delivery or returned cover shall also be enclosed along with the surrender petition filed before the Sessions Court,

which shall be taken as sufficient compliance of the requirements set out under Section 15(A) of the SC/ST Act.

5. The petitioner shall surrender before the jurisdictional Court within a period of six weeks from the date of receipt of a copy of this order. On such surrender, the petitioner's bail petition shall be considered and disposed of on merits and in accordance with law on the same day of surrender.

6. This Criminal Original Petition is disposed of on these terms.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rli
To

1. The Special Judge under SC & ST (P.A.) Act Salem.
2. The Inspector of Police,
Karumalaikoodal Police Station,
Salem District
3. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.Senthilkumar, Advocate, SR.No.27188

Cr1.O.P.No.8694 of 2021

KJ(CO)
NS(11/05/2021)

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