

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.05.2021

CORAM

THE HONOURABLE Mr.JUSTICE G.R.SWAMINATHAN

Crl.O.P.No.8621 of 2021

1.Somu
2.Saravanan
3.Maniyarasan
4.Vinoth

.. Petitioners

Vs.

1.The Deputy Superintendent of Police,
Kadambadi, Nagapattinam District.

2.The State rep. By
The Inspector of Police,
Voimedu Police,
Nagapattinam District.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the Principal Sessions Judge, (PCR Court) Nagapattinam to consider the bail application of the petitioners on the same day of their surrender in Crime No.178 of 2021 on the file of the respondent police.

For Petitioners : Mr.S.Conscious Ilango
For Respondents : Mrs.Saradha
Government Advocate

ORDER

Heard, the learned counsel on either side. The petitioners are figuring as Accused in Crime No.178 of 2021, on the file of the 2nd respondent police, for the offences under Sections 294 (b), 324, 506(2) of IPC & 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST (POA) Act, 2015.

2.On going through the contents of the FIR, it appears to be an election dispute.

3.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 petitioners are 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 Principal Sessions Judge, (PCR Court) Nagapattinam, shall deal with the matter on the same day on merits and in accordance with law. The notice to the victim under Section 15 (A) of the SC/ST Act can be issued in advance by informing their date of surrender by the petitioner. The postal receipt and the acknowledgement card / returned cover shall be enclosed with the surrender petition. Notice shall be sent by the petitioners to the last known correct address of the victim.

4.This Criminal Original Petition is disposed of with the above directions.

-s/d-
Vacation Officer-1
(Assistant Registrar)

True Copy

Sub-Assistant Registrar

mtl/sk
To

1. The Principal Sessions Judge, (PCR Court),
Nagapattinam
- 2.The Inspector of Police,
Voimedu Police,
Nagapattinam District.
3. The Public Prosecutor,
High Court, Madras.
4. The Deputy Superintendent of Police, Kadambadi,
Nagapattinam District.

+ 1 cc to Mr.S. Concious Ilango, Advocate Sr.27100

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sr-II(CO)
EU 6.5.2021