

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.05.2021

CORAM

THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

Crl.O.P.No.8828 of 2021

Sivagami
W/o. Babu

.. Petitioner/Accused

Vs.

State rep. by
The Inspector of Police,
Veraiyur Police Station,
Thiruvannamalai Taluk and district.
Crime No.77 of 2021

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the Special Court for Trial of cases under SC/ST (POA) Act, Tiruvannamalai to consider the petitioner's surrender and pass appropriate orders on the bail application to be fixed by the petitioner on the same day in connection with crime No.77 of 2021 on the file of the respondent police.

For Petitioner : Mr. V.Prakash Babu
For Respondent : Ms.V.Saradha Devi
Government Advocate
(Crl side)

O R D E R

This petition has been filed seeking for a direction, to direct the the Sessions Judge, Special court for trial of cases under SC/ST (POA) Act, Tiruvannamalai, to consider the bail petition of the petitioner on the same day in the event of surrender by the petitioner in Crime No.77 of 2021, on the file of the respondent police.

2.The petitioner seeks leave to surrender before the jurisdictional Court and he wants his bail petition to be considered on the same day.

3. 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 shall 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.

4. 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.

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

s/d-
Vacation Officer
/Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

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To

1. The Special Court for Trial of
cases under SC/ST (POA) Act, Tiruvannamalai

2. The Inspector of Police,
Veraiyur Police Station,
Thiruvannamalai Taluk and district.

3. The Public Prosecutor,
High Court, Madras.

CrI.O.P.No.8828 of 2021

LN(CO)

EU 11.5.2021