

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :17.06.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.10516 of 2021

1.Sundaram @ Sundar Rajan
2.Kanagaraj @ Kanaamani ... Petitioners/Accused 1, 3

.vs.

1.The State rep.by
The Superintendent of Police,
Karipatty Police Station,
Salem District.
2.The Inspector of Police,
Karipatty Police Station,
Salem District.
(Crime No.103/2021)) ... Respondent/Complainant

Prayer:Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the Principal District Sessions cum District Judge Judge (Special Court for Exclusive Trial of cases registered under the SC/ST Prevention of Atrocities Act, 1989 r/w New Amendment Act, 2015, Salem to accept the surrender of the petitioner herein connected in Crime No.103/2021, on the file of the 2nd respondent Police, Salem and consider the bail petition on the same day itself.

For Petitioners : Mr.Karan and Uday

For Respondents : Mr.A.Damodharan,
Government Advocate (Crl.side)

ORDER

This Criminal Original Petition has been filed seeking a direction, to direct the Principal Sessions cum District Judge (Special Court for Exclusive Trial of cases registered under the SC/ST Prevention of Atrocities Act, 1989 r/w New Amendment Act, 2015, Salem to accept the surrender of the petitioner herein connected in Crime No.103/2021, on the file of the 2nd respondent Police and consider the bail petition on the same day itself.

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 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 District Sessions cum District Judge, Special Court for trial cases under SC & ST [Prevention of Atrocities] Act, 1989, Salem 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(3) of the SC/ST Act.

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

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

Kp

To

1. The Principal Sessions cum District Judge,
Special Court for Trial Cases under SC/ST (POA) Act,
Salem
2. The Superintendent of Police,
Karipatty Police Station,
Salem District.
3. The Inspector of Police,
Karipatty Police Station,
Salem District.
4. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.10516 of 2021

MG(CO)
GN(22/06/2021)

WEB COPY