

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :08.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.11631 of 2021

1.Sathish Kumar

2.Janagaraj

... Petitioners

.vs.

The State rep.by
Inspector of Police,
Polur Police Station,
Tiruvannamalai District.

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Principal District Sessions Judge (Special Court for SC/ST Act) at Tiruvannamalai, to accept the surrender of the petitioners in connection with Crime No.661 of 2021 on the file of the respondent police for the offences under Section 147, 148, 294(b), 323, 324, 506(2) IPC, Sec.3(1)(r), Sec.3(1)(s) of the Scheduled Castes and The Scheduled Tribes (Prevention of Atrocities) Act, 1989, Sec.3 of TN Public Property (Prevention of Damage and Loss) Act, 1992, to consider the same.

For Petitioners : Mr.N.Sivaprakash

For Respondent : Mr.A.Damodaran,
Government Advocate (Crl.side)

ORDER

This Criminal Original Petition has been filed seeking a direction, to direct the Principal District Sessions Judge (Special Court for SC/ST Act) at Tiruvannamalai, to consider the petitioners' bail application on the same day of his surrender and dispose of the same on merits in accordance with law, in respect of the case in Crime No.661 of 2021, on the file of the 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 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 Judge (Special Court for SC/ST Act), Tiruvannamalai, for SC/ST Act cases under SC & ST [Prevention of Atrocities] Act, 1989, 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 (CS-VI)

//True Copy//

Sub Assistant Registrar

kp

To

- 1.The Principal District Sessions Judge,
(Special Court for SC/ST Act),
Tiruvannamalai.
- 2.Inspector of Police,
Polur Police Station,
Tiruvannamalai District.
- 3.The Public Prosecutor,
High Court, Chennai.

+1cc to Mr.N.Sivaprakash, Advocate, S.R.No. 31856

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AJS (CO)
GN(08/07/2021)

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