



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.13440 of 2021

Thirunavukkarasu
S/o, Durai

...Petitioner/Accused-2

Versus

The State represented by
The Inspector of Police,
All Women Police Station,
Chidambaram.
Cuddalore District.
(Crime No.5/2021)

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the Learned District & Sessions Judge, (Special Court under SC & ST Atrocities Act) at Cuddalore, Cuddalore District to accept the surrender of the petitioner herein concerned in Crime No.5 of 2021 on the file of the Inspector of Police, All Women Police Station, Chidambaram, Cuddalore District and consider the bail petition on the same day itself.

For Petitioner : Mr.M.R.Elavarasan

For Respondent : Mr.A.Damodaran

Counsel for Government of Tamil Nadu
(Criminal Side)

ORDER

This petition has been filed seeking a direction, to direct the learned the District & Sessions Judge, (Special Court under SC & ST Atrocities Act) at Cuddalore, Cuddalore District to accept the surrender of the petitioner and consider the petitioner's bail application on the same day in Crime No.5 of 2021 on the file of the second 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 petitioner is directed to surrender before the trial Court within a period of two weeks from the date of



receipt of a copy of this order or after commencement of normal functioning of the Court, which ever is later and on such surrender, the learned District & Sessions Judge, (Special Court under SC & ST Atrocities Act) at Cuddalore, Cuddalore District, 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.

-s/d-
Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

mfa
To

1. The District & Sessions Judge,
(Special Court under SC & ST Atrocities Act) at Cuddalore,
Cuddalore District
2. The Inspector of Police,
All Women Police Station,
Chidambaram.
Cuddalore District.
3. The Public Prosecutor,
High Court,
Madras.

+1 CC to Mr.M.R.Elavarasan, Advocate sr 38263.

CRL.O.P.No.13440 of 2021

GJ(CO)
SP(19/08/2021)