



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.19254 of 2021

1.E.Pugazhendhi
2.N.Krishna Moorthy
3.A.Nallapillai
4.N.Sumathi
5.M.Subramani
6.M.Elumalai

... Petitioners/Accused

Versus

1.The State
Rep. by the Deputy Superintendent of Police,
Kallakurichi,
Tamil Nadu.

2.The Sub Inspector of Police,
Vadaponparappi Police Station,
Kallakurichi District,
Tamil Nadu.

... Respondents/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, directing the learned Sessions Judge (Special Court for Trial of SC and ST Cases) Villupuram to accept the surrender of the petitioner in connection with Crime No.366 of 2021 on the file of the respondent Vadaponparappi Police Station, Kallakurichi District on the same day of filing and to consider the Anticipatory Bail/Bail Petition filed by the petitioner on the same day of filing in accordance with law.

For Petitioners : Mr.P.Rajnish

For Respondents : Mr.R.Vinoth Raja
Government Advocate [Crl. Side]

O R D E R

This Criminal Original Petition is filed to direct the learned Sessions Judge (Special Court for Trial of SC and ST Cases) Villupuram to accept the surrender of the petitioners in connection with Crime No.366 of 2021 on the file of the respondent Vadaponparappi Police Station, Kallakurichi District on the same day of filing and to consider the Anticipatory Bail/Bail Petition filed by the petitioners on the same day of filing in accordance with law.



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 Sessions Judge (Special Court for Trial of SC and ST Cases), Villupuram, 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. It makes it clear that without going into the merits of this case, this Court is inclined to dispose the matter and it is for the trial Court to decide the case on its own merit.

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

Sd/-
Assistant Registrar (CS-IX)

//True copy//

Sub Assistant Registrar

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To

1. The Sessions Judge
(Special Court for Trial of SC and ST Cases),
Villupuram.

2. The Deputy Superintendent of Police,
Kallakurichi,
Tamil Nadu.

3. The Sub Inspector of Police,
Vadaponparappi Police Station,
Kallakurichi District,
Tamil Nadu.

4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr. Rajnish Pathiyil, Advocate SR.No.53816

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PM (CO)

<https://hcservices.courts.gov.in/hcservices/>

GMI (21/10/2021)