



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.20334 OF 2021

Nithiya

... Petitioner/A2

Versus

State rep. by its

1. The Deputy Superintendent of Police,
Sankari,
Salem District.

2. State rep. by its
The Inspector of Police,
Konganapuram Police Station,
Salem District.
(Crime No.274 of 2021)

... Respondents/Complainants

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Principal District and Sessions Judge (Special Court for SC/ST Act) at Salem to accept the surrender of the petitioner in connection with the case in Crime No.274 of 2021 on the file of the respondent police and to consider and pass orders on the bail application on the same day.

For Petitioner : Mr.S.Doraiswamy

For Respondents : Mr.R.Vinoth Raja
Government Advocate [Cr1. Side]



O R D E R

This Criminal Original Petition is filed to direct the learned Principal District and Sessions Judge (Special Court for SC/ST Act) at Salem to accept the surrender of the petitioner in connection with the case in Crime No.274 of 2021 on the file of the respondent police and to consider and pass orders on the bail application on the same day.

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 and on such surrender, the learned Principal District and Sessions Judge (Special Court for SC/ST Act), 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-IV)

// True Copy //

Sub Assistant Registrar

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To

1. The Principal District and Sessions Judge,
Special Court for SC/ST Act, Salem.
2. The Deputy Superintendent of Police,
Sankari, Salem District.



3. The Inspector of Police,
Konganapuram Police Station,
Salem District.

4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Doraiswamy, Advocate, S.R.No.56291

CRL.O.P.No.20334 of 2021

GJ(CO)
RLP(29/10/2021)