



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.20248 of 2021

1.B.Dineshkumar
2.I Gunasekaran

...Petitioners/A1 & 2

Versus

State rep. by

1.The Rural Deputy Superintendent of Police,
Uthagamandalam Nilgiris.

2.The Inspector of Police,
Manjoor Police Station,
Nilgiris District.
(Crime No.128 of 2021)

..Respondents 1 & 2/Complainant

3.A.Senthil Kumar

...3rd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned District and Sessions Judge of Nilgiris District to consider the bail application on their surrender and dispose the said application on the same day concerning Crime No.128 of 2021 on the file of the Inspector of Police, Manjoor Police Station, Nilgiris District.

For Petitioner : Mr.M.Mohamed Riyaz

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 District and Sessions Judge of Nilgiris District to consider the bail application on their surrender and dispose the said application on the same day concerning Crime No.128 of 2021 on the file of the Inspector of Police, Manjoor Police Station, Nilgiris District.



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 District and Sessions Judge of Nilgiris 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. 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.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The District and Sessions Judge, Nilgiris District

2. The Rural Deputy Superintendent of Police,
Uthagamandalam Nilgiris.

3. The Inspector of Police,
Manjoor Police Station,
Nilgiris District.

4. The Public Prosecutor,
High Court, Madras.

+1 CC to Mr. M. Mohamed Riyaz, Advocate sr 56345.

CRL.O.P.No.20248 of 2021

SSD(CO)
SP(29/10/2021)