



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2021

CORAM :

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.20973 OF 2021

1.Elavarasu

2.Sankar

...Petitioners

Versus

1.The Deputy Superintendent of Police,
Perambalur,
Perambalur District.

2.The State represented by
The Inspector of Police,
Kunnam Police Station,
Perambalur District.
(Crime No.208 of 2000)

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, directing the learned Principal District & Sessions Judge (Special Court under SC & ST Atrocities Act) at Perambalur, Perambalur District to accept the surrender of the petitioners herein concerned in Spl.S.C.No.43 of 2019, on the file of the learned Principal District & Sessions Judge, (Special Court under SC & ST Atrocities Act) at Perambalur, Perambalur District and consider the bail petition on the same day itself.

For Petitioners : Mr.M.R.Elavarasan

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 & Sessions Judge (Special Court under SC & ST Atrocities Act) at Perambalur, Perambalur District to



accept the surrender of the petitioners herein concerned in Spl.S.C.No.43 of 2019 and consider the bail petition on the same day itself.

WEB COPY

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 and Session Judge, (Special Court under SC & ST Atrocities Act) at Perambalur, Perambalur 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.

Sd/-

Assistant Registrar (CS-VI)

// True Copy //

Sub Assistant Registrar

vm

To

1. The Principal District & Sessions Judge,
(Special Court under SC & ST Atrocities Act)
Perambalur.
2. The Deputy Superintendent of Police,
Perambalur,
Perambalur District.
3. The Inspector of Police,
Kunnam Police Station,
Perambalur District.



4.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.R.Elavarasan, Advocate SR.No.57996

WEB COPY

CRL.O.P.No.20973 of 2021

SPP(CO)
RVM(11/11/2021)