



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.23242 of 2021

Sivakumar

... Petitioner

Versus

1.State by:

The Deputy Superintendent of Police,
Kottakuppam,
Villupuram District.

2.The Inspector of Police,
All Women Police Station,
Kottakuppam,
Villupuram District.
(Crime No.20 of 2021)

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Principal District & Sessions Judge, (Special Court under SC & ST Atrocities Act)/Special Court for Exclusive Trial of Cases under POCSO Act at Villupuram, Villupuram District to accept the surrender of the petitioner herein concerned in Crime No.20 of 2021 on the file of the learned Principal District and Sessions Judge, (Special Court under SC & ST Atrocities Act)/Special Court for Exclusive Trial of Cases under POCSO Act at Villupuram, Villupuram District and consider the bail petition on the same day itself.

For Petitioner : Mr.S.Manikandan

For Respondents: Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed to direct the learned Principal District & Sessions Judge, (Special Court under SC & ST Atrocities Act)/Special Court for Exclusive Trial of Cases under POCSO Act at Villupuram, Villupuram District to accept the surrender of the petitioner herein concerned in Crime No.20 of 2021 on the file of the learned Principal District and Sessions Judge, (Special Court under SC & ST Atrocities Act)/Special Court for Exclusive Trial of Cases under POCSO Act at Villupuram, Villupuram District and consider the bail petition on the same day itself.



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 under SC & ST Atrocities Act)/Special Court for Exclusive Trial of Cases under POCSO Act at Villupuram, Villupuram 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-VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal District and Sessions Judge,
(Special Court under SC & ST Atrocities Act)/Special Court
for Exclusive Trial of Cases under POCSO Act at
Villupuram,
Villupuram District.

2. The Deputy Superintendent of Police,
Kottakuppam,
Villupuram District.

3. The Inspector of Police,
All Women Police Station,
Kottakuppam,
Villupuram District.

4. The Public Prosecutor,
High Court, Madras.

+1cc to M/s.S.Manikandan, Advocate, S.R.No.64156

CRL.O.P.No.23242 of 2021

BP (CO)
SB (06/12/2021)