



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.24517 of 2021

1. Bharathidasan
S/o, Sembulingham
 2. Thirunavukkarasu
S/o, Kandasamy
 3. Vimal
S/o, Thirunavukkarasu
 4. Anbarasu
S/o, Sembulingham
- ...Petitioners / Accused

Versus

1. State by
The Deputy Superintendent of Police,
O/o the Deputy Superintendent of Police,
Perambalur,
Perambalur District.
 2. The Inspector of Police,
Perambalur Police Station,
Perambalur District.
- ... Respondents / Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to give direction directing the learned Special Judge, Special Court for Exclusive Trial of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act Cases, Perambalur to consider the bail petition of the petitioners on the same day in the event of surrender by them and grant bail in Crime No.1524/2021 on the file of the respondent police pending investigation.

For Petitioners : Mr.S.Subramanian

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



ORDER

This Criminal Original Petition is filed to direct the learned Special Judge, Special Court for Exclusive Trial of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act Cases, Perambalur to consider the bail application sympathetically and pass orders on merits on the same day on the petitioners surrender in connection with the Crime No.1524/2021 pending investigation on the file of the second respondent police.

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, Special Judge, Special Court for Exclusive Trial of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act Cases, Perambalur 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(CCC)

//True Copy//

Sub Assistant Registrar

mfa

To

1. The Special Judge,
Special Court for Exclusive Trial of the
Scheduled Caste and Scheduled
Tribes (Prevention of Atrocities) Amendment Act Cases,
Perambalur.
2. The Deputy Superintendent of Police,
O/o the Deputy Superintendent of Police,
Perambalur,
Perambalur District.



3. The Inspector of Police,
Perambalur Police Station,
Perambalur District.

4. The Public Prosecutor,
High Court,
Madras.

+1cc to Mr.S.Subramanian, Advocate, S.R.No.67186

CRL.O.P.No.24517 of 2021

SRA[co]
NSK 28/12/2021