



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.212 of 2022

S.Geetha

... Petitioner

Versus

1.The State rep. by its
The Deputy Superintendent of Police,
Palladam,,
Tiruppur.

2.The State rep. by its,
The Inspector of Police,
Mangalam Police Station,
Tiruppur District.
(Crime nO.649 of 2021)

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned District Sessions Court/Special Court for PC Act and SC/ST Act, Tiruppur District to consider the bail application of the petitioner on the same day in Crime No.649 of 2021 on the file of the respondent police for the alleged offence under Section 3(1) (r) and 3(1) (s) of SC&ST (Prevention of Atrocities) Amendment Act 2015.

For Petitioner : Mr.Ma.Gowthaman

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

ORDER

This Criminal Original Petition is filed to direct the learned District Sessions Court/Special Court for PC Act and SC/ST Act, Tiruppur District to consider the bail application of the petitioner on the same day in Crime No.649 of 2021 on the file of the respondent police for the alleged offence under Section 3(1) (r) and 3(1) (s) of SC&ST (Prevention of Atrocities) Amendment Act 2015.



2.The case of the prosecution is that the defacto complainant being a awareness and monitoring committee member, Adi Dravidar Welfare Department on 17.12.2021 on information from the students of the school it was informed that the petitioner has been forcing the school children to clean the toilet and also used abusive words against the children using their caste name.

3.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 the commencement of normal functioning of the Court and on such surrender, the learned District Sessions Judge/Special Judge for PC Act and SC/ST Act, Tiruppur 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. The learned District Sessions Judge/Special Judge for PC Act and SC/ST Act, Tiruppur District is directed to follow the guidelines and procedures as contemplated by the Government during this pandemic situation. 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.

4.This Criminal Original Petition is disposed of with the above directions.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1.The learned District Sessions Judge/Special Judge
for PC Act and SC/ST Act,
Tiruppur District.

2.The Deputy Superintendent of Police,
Palladam,,
Tiruppur.



3.The Inspector of Police,
Mangalam Police Station,
Tiruppur District.

4.The Public Prosecutor,
High Court, Madras.

+2cc to Mr.Ma.Gouthaman, Advocate, S.R.No.986

CRL.O.P.No.212 of 2022

PA(CO)
SB(04/01/2022)