

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.224 OF 2022

1.K.Mani @ Manikandan
2.R.Baskar

... Petitioners/
Accused A2 & A3

Versus

1. State Rep.by
The Superintendent of Police (East),
Puducherry.

2. The Inspector of Police,
Orleanpet Police Station,
Puducherry
(Crime No.166 of 2021)

... Respondents/
Complainant

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the Special Court for Schedule Caste and Schedule Tribes (Prevention of Atrocities Act, 1989 Amendment 2015), Puducherry to entertain the bail application of the petitioners on the same day and release the petitioners on bail pending investigation in Crime No.166 of 2021 on the file of the 2nd respondent Police subject to any condition as the Trial Court in accordance with law, on the same day of surrender.

For Petitioners : Ms.S.Vijayakumar

For Respondents : Mr.V.Balamurugan
Public Prosecutor (Pondy)

ORDER

This petition has been filed seeking a direction, to direct the Special Court for Schedule Caste and Schedule Tribes (Prevention of Atrocities Act, 1989 Amendment 2015), Puducherry to entertain the bail application of the petitioners on the same

day and release the petitioners on bail pending investigation in Crime No.166 of 2021 on the file of the 2nd respondent Police subject to any condition as the Trial Court in accordance with law.

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 or after commencement of normal functioning of the Court, whichever is later and on such surrender, the learned Special Judge for Schedule Caste and Scheduled Tribes (Prevention of Atrocities Act, 1989 Amendment 2015), 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.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

arr

To

1. The Superintendent of Police (East),
Puducherry.
2. The Inspector of Police,
Orleanpet Police Station,
Puducherry
3. The Special Court for Schedule Caste and Schedule Tribes
(Prevention of Atrocities Act, 1989 Amendment 2015),
Puducherry.
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Vijayakumar, Advocate SR.NO.1915/11/02/2022
CRL.O.P.No.224 of 2022

RR(CO)
PM/07/01/2022