



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.520 of 2022

Rajesh Pandiyan

...Petitioner

Versus

1.The Deputy Superintendent of Police,
Cuddalore District.

2.State represented by
The Inspector of Police,
Portonovo Police Station,
Cuddalore District.
(Crime No.310 of 2021)

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned District and Sessions Judge, (Special Court under SC & ST Atrocities Act) at Cuddalore, Cuddalore District to accept the surrender of the petitioner herein concerned in Crime No.310 of 2021, on the file of the learned District and Sessions Judge, (Special Court under SC & ST Atrocities Act) at Cuddalore, Cuddalore District and consider the bail petition on the same day itself.

For Petitioner : Mr.K.Narasiman
For Respondents : Mr.R.Vinothraja
Government Advocate [Crl. Side]

O R D E R

This Criminal Original Petition is filed to direct the learned District and Sessions Judge, (Special Court under SC & ST Atrocities Act) at Cuddalore, Cuddalore District to accept the surrender of the petitioner herein concerned in Crime No.310 of 2021, on the file of the learned District and Sessions Judge, (Special Court under SC & ST Atrocities Act) at Cuddalore, Cuddalore 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 District and Sessions Judge, (Special Court under SC & ST Atrocities Act) at Cuddalore, Cuddalore 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 III)

/True Copy//

Sub Assistant Registrar

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To

- 1.The learned District and Sessions Judge,
(Special Court under SC & ST Atrocities Act)
at Cuddalore, Cuddalore District
- 2.The Deputy Superintendent of Police,
Cuddalore District.
- 3.The Inspector of Police,
Portonovo Police Station,
Cuddalore District.
- 4.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.Narasimhan, Advocate, S.R.No.2562

CRL.O.P.No.520 of 2022

RGN(CO)
KKV/12/01/2022