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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.1136 OF 2022

Thirthamalai

... Petitioner

Versus

The State Rep. by
The Inspector of Police,
Thirunavalur Police Station,
Kallakurichi District.
(Crime No.402 of 2021)

... Respondent

PRAYER:-

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Sessions Judge, Special Court for cases under SC/ST Prevention of Atrocities Act, Villupuram, to accept the surrender of the petitioner and to consider the bail petition on the same day in a case in Crime No.402 of 2021 on the file of the respondent police.

For Petitioner : Mr.M.Subash

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

O R D E R

This Criminal Original Petition is filed to direct the learned Sessions Judge, Special Court for cases under SC/ST Prevention of Atrocities Act, Villupuram, to accept the surrender of the petitioner and to consider the bail petition on the same day in a case in Crime No.402 of 2021 on the file of the respondent police.

2. In view of the amendments made in the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989,



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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 Sessions Judge, Special Court for cases under SC/ST Prevention of Atrocities Act, Villupuram, 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 IX)

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Sub Assistant Registrar

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To

1. The Sessions Judge,
The Special Court for cases under SC/ST
Prevention of Atrocities Act,
Villupuram.
2. The Inspector of Police,
Thirunavalur Police Station,
Kallakurichi District.
3. The Public Prosecutor,
High Court, Madras.

CRL.O.P.NO.1136 OF 2022

RSI (CO)
PBS/24/01/2022