



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.707 of 2022

1. Jayarani

2. Kulandairaj ... Petitioners /Accused 2 & 3

Versus

1. The Deputy Superintendent of Police,
Collector Office Road, Moovendar Nagar,
Viluppuram District, Tamil Nadu 605602.

2. State Represented by,
The Inspector of Police,
All Women Police Station,
Crime No.14 of 2021.
Kottakuppam,
Viluppuram District.

... Respondents / Complainants

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the Principal District Sessions Judge at Villupuram to consider the Bail Application to be filed by the petitioners in Crime No.14 of 2021 for the offences punishable under Section 417, 376 of IPC @ 417, 376 r/w 3(1) (i), 3(2) (Va) of SC/ST Act (POA) 2015 and release them on bail on the very same day of their surrender by filing the bail petition before the said Court.

For Petitioners : Mr.C.Ashok Kumar

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

O R D E R

This Criminal Original Petition is filed to direct the Principal District Sessions Judge at Villupuram to accept the surrender of the petitioners and consider the petitioners' bail application on the same day in Crime No.14 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, 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, the Principal District Sessions Judge, 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

True Copy//

Sub Assistant Registrar

sli

To

1. The Principal District Sessions Judge,
Villupuram.
2. The Deputy Superintendent of Police,
Collector Office Road, Moovendar Nagar,
Viluppuram District, Tamil Nadu 605602.
3. The Inspector of Police,
All Women Police Station,
Kottakuppam,
Viluppuram District.
4. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.707 of 2022

NMI[co]
NSK 20/01/2022