



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.650 of 2022

Sivakandan

... Petitioner/Accused 2

Versus

1.The Deputy Superintendent of Police,
Deputy Superintendent Office,
Ulunderpet & Taluk,
Kallakurichi District.

2.The Inspector of Police,
Thirunavalur Police Station,
Villupuram District,
Crime No.1861 of 2020.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the Sessions Court Villupuram the District Sessions Judge Villupuram, Special Judge for Prevention of SC/ST Atrocities to accept surrender of the petitioner in Cr.No.1861/2020, u/s.147, 294(b), 323, 355, 342, 506(ii) IPC r/w Sec.3(1) (r), 3(1) (s), 3 (2) (va) of SC/ST (POA) Amendment Act, 2015. (on the file of Inspector of Police, Thirunavalur Police Station, Villupuram District) and consequently consider the petitioner bail application on the same day.

For Petitioner : Mr.V.Gunasekar

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

O R D E R

This Criminal Original Petition is filed to direct the Sessions Court Villupuram, the learned District Sessions Judge, Villupuram, Special Judge for Prevention of SC/ST Atrocities to accept the surrender of the petitioner and consider the petitioner bail application on the same day in Crime No.1861 of 2020 on the file of the respondent police.

2.The learned Additional Public Prosecutor submits that in this case, investigation completed and charge sheet has been filed.



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 receipt of a copy of this order and on such surrender, the Sessions Court Villupuram, the learned District Sessions Judge, Villupuram, Special Judge for Prevention of SC/ST Atrocities 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.

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 District Sessions Judge, Villupuram,
Special Judge for Prevention of SC/ST Atrocities,
The Sessions Court Villupuram,
2. The Deputy Superintendent of Police,
Deputy Superintendent Office,
Ulunderpet & Taluk,
Kallakurichi District.
3. The Inspector of Police,
Thirunavalur Police Station,
Villupuram District.
4. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.650 of 2022

AK(CO)
KM(20/01/2022)