



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.1167 of 2022

1.Gopal @ Gopalakrishnan
2.T.Shanmugam

... Petitioners

Versus

1.The Superintendent of Police,
Namakkal District,
Namakkal.

2.The State rep. by
The Inspector of Police,
Tiruchengode Rural Police Station,
Namakkal District.
(Crime No.546 of 2021)

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Special Court for the exclusive trial of SC and ST Cases Namakkal to consider the anticipatory bail application of the petitioners on the same day in the event of their surrender in connection with Crime No.546 of 2021 on the file of the second respondent police.

For Petitioners: Mr.C.S.Saravanan

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

O R D E R

This Criminal Original Petition is filed to direct the learned Special Court for the exclusive trial of SC and ST Cases Namakkal to consider the anticipatory bail application of the petitioners on the same day in the event of their surrender in connection with Crime No.546 of 2021 on the file of the second 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 learned Judge, Special Court for the exclusive trial of SC and ST Cases, Namakkal, 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 VII)

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Sub Assistant Registrar

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To

- 1.The Judge,
Special Court for the exclusive
trial of SC and ST Cases,
Namakkal.
- 2.The Superintendent of Police,
Namakkal District,
Namakkal.
- 3.The Inspector of Police,
Tiruchengode Rural Police Station,
Namakkal District.
- 4.The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.1167 of 2022

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srg 21/01/2022