



WEB COPY

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.799 OF 2022

1. Dashnamoorthi @ Dhatchanamoorthy
2. Mallika ... Petitioners/Accused 1 & 2

Versus

1. The Superintendent of Police,
Office of the Superintendent of Police,
Villupuram,
Villupuram District - 605 602.
2. The Sub Inspector of Police,
Sathiyamangalam Police Station,
Villupuram District.
(Crime No.476 of 2021) ... Respondents/Complainant

PRAYER:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Principal Sessions Judge Court of Villupuram District (Special Judge for SC & ST Act) to consider their surrender and pass appropriate orders on the bail application filed by the petitioners on the same day in connection with Crime No.476 of 2021 on the file of the respondent police.

For Petitioners : Mr.R.Sasikumar

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

O R D E R

This Criminal Original Petition is filed to direct the learned Principal Sessions Judge of Villupuram District (Special Judge for SC & ST Act) to consider their surrender and pass appropriate orders on the bail application filed by the petitioners on the same day in connection with Crime No.476 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 learned Principal Sessions Judge of Villupuram District (Special Judge for SC & ST Act) , 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)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Sessions Judge,
Villupuram District
(Special Judge for SC & ST Act).
2. The Superintendent of Police,
Office of the Superintendent of Police,
Villupuram,
Villupuram District - 605 602.
3. The Sub-Inspector of Police,
Sathiyamangalam Police Station,
Villupuram District.
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.V.R.Appaswamee, Advocate, S.R.No.3902

CRL.O.P.NO.799 OF 2022

KV(CO)
PBS/24/01/2022