



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.1718 OF 2022

- 1.Vetrimani
- 2.Balamurugan
- 3.Kavin @ Kavin Kumar
- 4.Prakash
- 5.Vignesh @ Vigneshkumar
- 6.Sasidharan

... Petitioners/Accused (A2, A5 to A9)

Versus

1. The Deputy Superintendent of Police,
Valapadi,
Salem District.
2. State by
The Inspector of Police,
Ethappur Police Station,
Salem District,
(Crime No.15 of 2022)

... Respondents/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Principal District and Sessions Judge, (Special Court under SC & ST Atrocities Act) at Salem, Salem District to accept the surrender of the petitioners herein concerned in Crime No.15 of 2022 on the file of the Inspector of Police, Ethappur Police Station, Salem District and consider the bail petition on the same day itself.

For Petitioners : Mr.K.Balu

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



ORDER

This Criminal Original Petition is filed to direct the learned Principal District and Sessions Judge, (Special Court under SC & ST Atrocities Act) at Salem, Salem District to accept the surrender of the petitioners herein concerned in Crime No.15 of 2022 on the file of the Inspector of Police, Ethappur Police Station, Salem District and consider the bail petition on the same day itself.

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 District and Sessions Judge, (Special Court under SC & ST Atrocities Act) at Salem, Salem District, 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-VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal District and Sessions Judge,
(Special Court under SC & ST Atrocities Act),
Salem, Salem District.
2. The Deputy Superintendent of Police,
Valapadi,
Salem District.



3. The Inspector of Police,
Ethappur Police Station,
Salem District.

4. The Public Prosecutor,
High Court, Madras.

+1cc to M/s.K.Balu, Advocate, S.R.No.5468

CRL.O.P.No.1718 of 2022

SSN(CO)
RLP(31/01/2022)