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CRL.O.P No.529 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.529 of 2024

1.R.Subramanian,
S/o.Ramaiyan

2.S.Iyyappan,
S/o.Subramanian

...Petitioners

Vs.

1.The Deputy Superintendent of Police,
Mayiladuthurai,
Mayiladuthurai District.

2.The State represented by its,
Inspector of Police,
Palaiyur Police Station,
Mayiladuthurai District.
(Crime No.393 of 2023)

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to direct the Principal District and Sessions Judge (Special Court for SC/ST Act), Nagapattinam to consider the bail application to be filed by the petitioner in Crime No.393 of 2023 on the file of the Inspector of Police, Palaiyur Police Station, Mayiladuthurai District on the same day of their surrender.



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For Petitioners : Mr.S.P.Harikrishnan
For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This petition has been filed seeking a direction, to direct the Principal District and Sessions Judge (Special Court for SC/ST Act), Nagapattinam to consider the bail application to be filed by the petitioner in Crime No.393 of 2023 on the file of the Inspector of Police, Palaiyur Police Station, Mayiladuthurai District on the same day of their surrender.

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 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 learned Principal District and Sessions Judge (Special Court for SC/ST Act), Nagapattinam 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



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(A) of the SC/ST Act.

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3. This Criminal Original Petition is disposed of with the above directions.

12.01.2024

Index: Yes/No

Speaking order/Non-speaking Order

Neutral Citation: Yes/No

ssr/mkn2

Note: Issue Order Copy on 18.01.2024

To

- 1.The Principal District and Sessions Judge
(Special Court for SC/ST Act), Nagapattinam.
- 2.The Deputy Superintendent of Police,
Mayiladuthurai,
Mayiladuthurai District.
- 3.The Inspector of Police,
Palaiyur Police Station,
Mayiladuthurai District.
- 4.The Public Prosecutor,
High Court, Madras.

N.ANAND VENKATESH, J



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