



CRL.O.P.No.1153 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.01.2025

CORAM

THE HONOURABLE MR. JUSTICE **G.R.SWAMINATHAN**

CRL.O.P.No.1153 of 2025

Ram Ganesh

... Petitioner

Vs

1. The Assistant Commissioner of Police,
Suramangalam,
Salem District.

2. The State Rep By its
The Inspector of Police,
Karuppur Police Station,
Salem District.
(Crime No.1003 of 2023).

3. Elangovan ... Respondents

PRAYER: Criminal Original Petition filed under Section 583 of BNSS 2023 praying to direct The District and Sessions Judge (Special Court for SC/ST Act), Salem to consider the bail application of the petitioner on the same day on his surrender before the court in connection with the case in Crime No.1003 of 2023 on the file of Inspector of Police, Karuppur Police Station, Salem District, on the same day.



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For Petitioner : Mr.S.P.Harikrishnan
For Respondents : Mr.S.Vinoth Kumar
Government Advocate (Crl.side)

ORDER

Heard, the learned counsel on either side. The petitioner is figuring as an Accused No.4 in Crime No.1003 of 2023, on the file of the respondent police, for the offences under Sections 294(b), 120B, 420, 468, 409, 511 and 506(1) of IPC and Sections 3(1)(r) and 3(1)(s) of SC/ST (POA) Act, 1989.

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 District and Sessions Judge (Special Court for SC/ST Act), Salem, shall deal with the matter on the same day on merits and in accordance with law. The notice to the victim under Section 15(A) of the SC/ST Act can be issued in advance by informing their date of surrender by the petitioner. The postal receipt and the acknowledgement card / returned cover shall



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be enclosed with the surrender petition. Notice shall be sent by the petitioner to the last known correct address of the victim.

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

17.01.2025

Internet:Yes
Index:Yes/no
Speaking/Non speaking order
mn/rpl



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G.R.SWAMINATHAN, J.

mn/rpl

To

1. The District and Sessions Judge (Special Court for SC/ST Act),
Salem.
2. The Assistant Commissioner of Police,
Suramangalam,
Salem District.
3. The Inspector of Police,
Karuppur Police Station,
Salem District.
4. The Public Prosecutor,
High Court, Madras.

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