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CRL.O.P.No.1211 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.1211 of 2025

Deepan

... Petitioner

Vs

1. Deputy Superintendent of Police,
Namakkal Sub Division,
Namakkal District.

2. State Represented By
The Inspector of Police,
Mohanur Police Station,
Namakkal District.
(Crime No.143 of 2024)

3. Malarkumar

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of BNSS 2023 praying to direct the Special Court for exclusive trial of cases registered under SC/ST (POA) Act, Namakkal, to consider and dispose of the bail application of the petitioner on merits in connection with the case in Crime No.143 of 2024 on the file of the Inspector of Police, Moganur police station, Namakkal district on the same date of his surrender.



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For Petitioner : Mr.B.Vetrivel
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 in Crime No.143 of 2024, on the file of the respondent police, for the offences under Sections 147, 148, 294(b), 153A(1)(a), 323 and 506(2) of IPC, Sections 3(1)(s), 3(1)(u) and 3(2)(va) of SC/ST (POA) Amendment Act, 2015 and Section 3(1) of TN Public Property (Prevention of Damages).

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 Special Court for exclusive trial of cases registered under SC/ST (POA) Act, Namakkal, 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



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petitioner. The postal receipt and the acknowledgement card / returned cover shall 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 Special Court for exclusive trial of cases registered under SC/ST (POA) Act, Namakkal.
2. Deputy Superintendent of Police,
Namakkal Sub Division,
Namakkal District.
3. The Inspector of Police,
Mohanur Police Station,
Namakkal District.
4. The Public Prosecutor,
High Court, Madras.

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