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CrI.O.P.No.1300 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.01.2025

CORAM

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

CrI.O.P.No.1300 of 2025

1.Nethaji
2.Viji @ Vijay
3.Balaji
4.Ilaya @ Ilayaraja

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Chengalpattu,
Chengalpattu District.

2.State rep.by
The Inspector of Police,
Padalam Police Station,
Chengalpattu,
Chengalpattu District.
Crime No.522 of 2024

3.Venkatakumar

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 BNSS, pleaded to direct the District and Sessions Court, Chengalpattu (Special Judge for SC/ST Act) to consider and pass favourable order on the bail application filed by these petitioners on the same day in connection with the crime No.522 of 2024 on the file of the 2nd respondent police.



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For Petitioner : Mr.A.Tamil Selvan
For R1 & R2 : Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)

ORDER

Heard, the learned counsel on either side. The petitioners are figuring as Accused in Crime No.522 of 2024, on the file of the respondent police, for the offences under Sections 191(2), 296(b), 115(2) of BNS Act, and Sections 3(i) (r), 3(1)(s) & 3(2) (va) of SC/ST (POA) Amendment Act, 2015.

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 District and Sessions Court, Chengalpattu (Special Judge for SC/ST Act), 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 his date of surrender by the



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petitioners. The postal receipt and the acknowledgement card / returned cover shall be enclosed with the surrender petition. Notice shall be sent by the petitioners to the last known correct address of the victim.

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

17.01.2025

Index : Yes/No

Neutral Citation : Yes/No

rpl

To

1. The District and Sessions Court, Chengalpattu (Special Judge for SC/ST Act)

2.The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Chengalpattu,
Chengalpattu District.

3.The Inspector of Police,
Padalam Police Station,
Chengalpattu,
Chengalpattu District.

4.The Public Prosecutor,
High Court of Madras,
Chennai.

G.R.SWAMINATHAN,J



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