



CRL.O.P.No.1187 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.1187 of 2025

1. R.Thachanamoorthy
2. R.Karthik
3. K.Nanthini
4. R.Karpagam
5. P.Ravi

... Petitioners

Vs

1. The Deputy Superintendent of Police,
Kallakurichi,
Kallakurichi District.
2. The State Rep By its
The Sub Inspector of Police,
Elavanasoorkottai Police Station,
Kallakurichi District.
Crime No.7 of 2025
3. M.Vijayakumari

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of BNSS 2023 praying to direct the learned Principal District Special Judge, Kallakurichi, Principal Special Court for SC/ST (POA) Act, to accept the bail application of the petitioners on the same day of their surrender in Crime No.7 of 2025 on the file of the respondent police.



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For Petitioners : Mr.P.Jayachandran
For Respondents : Mr.S.Vinoth Kumar
Government Advocate (Crl.side)

ORDER

Heard, the learned counsel on either side. The petitioners are figuring as Accused Nos.1 to 5 in Crime No.7 of 2025, on the file of the respondent police, for the offences under Sections 191(2), 296(b) and 115(2) of BNS, 2023 read with Sections 3(1)(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 Principal District Special Judge, Kallakurichi, Principal Special Court for SC/ST (POA) 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 their date of surrender by the petitioner. The postal receipt and the acknowledgement card /



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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.

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



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mn/rpl

To

1. The Principal District Special Judge, Kallakurichi, Principal Special Court for SC/ST (POA) Act.
2. The Deputy Superintendent of Police,
Kallakurichi,
Kallakurichi District.
3. The Sub Inspector of Police,
Elavanasoorkottai Police Station,
Kallakurichi District.
4. The Public Prosecutor,
High Court, Madras.

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