



WEB COPY



CRL.O.P.No.1290 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.1290 of 2025

Vishva @ Vishwa

... Petitioner

Vs

1. The Deputy Superintendent of Police,
Deputy Superintendent Office,
Kallakurichi District.

2. The Inspector of Police,
Thiyagaduram Police Station,
Kallakurichi District.
Crime No.357 of 2024.

3. Harikrishnan

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of BNSS 2023 praying to direct the District Sessions Judge, Villupuram, Special Judge for Prevention of SC/ST (Atrocities to consider the petitioner bail application on the same day of his surrender in connection Crime No.357 of 2024 on the file of the second respondent.

For Petitioner : Mr.V.Gunasekar

For Respondents : Mr.S.Vinoth Kumar

Government Advocate (Crl.side)



CRL.O.P.No.1290 of 2025

ORDER

Heard, the learned counsel on either side. The petitioner is figuring as an Accused No.5 in Crime No.357 of 2024, on the file of the respondent police, for the offences under Sections 191(2), 191(3), 296(b), 115(2) and 351(3) of BNS and Sections 3(1)(r), 3(1)(s) and 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 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 Sessions Judge, Villupuram, Special Judge for Prevention of 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 their date of surrender by the 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.



CRL.O.P.No.1290 of 2025

WEB COPY 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



WEB COPY



CRL.O.P.No.1290 of 2025

G.R.SWAMINATHAN, J.

mn/rpl

To

1. The District Sessions Judge, Villupuram,
Special Judge for Prevention of SC/ST Act.
2. The Deputy Superintendent of Police,
Deputy Superintendent Office,
Kallakurichi District.
3. The Inspector of Police,
Thiyagaduram Police Station,
Kallakurichi District.
4. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.1290 of 2025

17.01.2025