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CRL.O.P.No.1344 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.1344 of 2025

1. Harikrishnan @ Hari
2. Yokesh

... Petitioners

Vs

1. The Superintendent of Police,
Tiruvannamalai, Tiruvannamalai District.
2. State rep.by
The Inspector of Police,
Kannamangalam Police Station,
Tiruvannamalai District.
Crime No.497 of 2024

3. Kiran Kumar

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of BNSS 2023 praying to direct the Principal Sessions Judge at (Special Judge for SC/ST) Tiruvannamalai District to consider their Bail Application on the same day in connection with Crime No.497 of 2024 on the file of the second Respondent Police herein upon surrender of the petitioners before them.

For Petitioners : Mr.S.L.Venkatesan



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

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ORDER

Heard, the learned counsel on either side. The petitioners are figuring as Accused Nos.5 and 6 in Crime No.497 of 2024, on the file of the respondent police, for the offences under Sections 192(2), 191(3), 126(2), 296(b), 308(5), 115(2), 118(1), 109(1), 324(4) and 351(3) of BNS, 2023 read with Sections 3(1)(S), 3(2)(V) and 3(1)(u) 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 Sessions Judge at (Special Judge for SC/ST) Tiruvannamalai District, 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 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

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



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G.R.SWAMINATHAN, J.

mn/rpl

To

1. The Principal Sessions Judge at (Special Judge for SC/ST) Tiruvannamalai District.
2. The Superintendent of Police,
Tiruvannamalai, Tiruvannamalai District.
3. The Inspector of Police,
Kannamangalam Police Station,
Tiruvannamalai District.
4. The Public Prosecutor,
High Court, Madras.

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