



WEB COPY



CRL.O.P No.908 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.908 of 2024

1.Siva @ Varatharaj

2.Kumar @ Senthilkumar

...Petitioners

Vs.

1.The Deputy Superintendent of Police,
Bhavani,
Erode District.

2.The State Rep. by
The Inspector of Police,
Chithode Police Station,
Erode District.
(Crime No.455 of 2023)

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to direct the Principal District and Sessions Judge, Erode to consider the bail application of the petitioners on the date of surrender before the Court in connection with Crime No.455 of 2023 on the file of the 1st respondent police.

For Petitioners : Mr.M.Mariappan

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor



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ORDER

This petition has been filed seeking a direction, to direct the Principal District and Sessions Judge, Erode to consider the bail application of the petitioners on the date of surrender before the Court in connection with Crime No.455 of 2023 on the file of the 1st respondent police.

2.In view of the amendments made in the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for brevity hereinafter referred to as the Act), 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 appear in-person before the Special Court within a period of two weeks from the date of receipt of a copy of this order. The Special Court shall order reasonable, accurate and timely notice as mandated under Sec. 15 A (3) of the Act to the victim or his / her dependent by RPAD / through the respondent police and on such service of notice, the learned Special Judge shall deal with the matter as expeditiously as possible on merits and in accordance with law, after hearing the victim or his / her dependent either in person or through counsel / legal aid counsel as mandated under Sec 15A (5) of the Act, in compliance with *Hariram Bhambhi vs Satyanarayan*, reported in **2021 SCC Online SC 1010**.



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

22.01.2024

Index: Yes/No

Speaking order/Non-speaking Order

Neutral Citation: Yes/No

ssr

Note: Issue Order Copy on 23.01.2024

To

1. The Principal District and Sessions Judge, Erode.

2. The Deputy Superintendent of Police,
Bhavani,
Erode District.

3. The Inspector of Police,
Chithode Police Station,
Erode District.

4. The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

SSR

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