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Crl.O.P.No.1344 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.1.2024

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THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.1344 of 2024

Sakthivel

...Petitioner

Vs.

The Inspector of Police,
Thirumuruganpoondi Police Station,
Tiruppur District.

...Respondent

Criminal Original Petition under Section 482 of the Criminal Procedure Code praying to direct the learned Principal District & Sessions Judge, Tiruppur, Tiruppur District to accept the surrender of the petitioner herein in Crime No.5 of 2024 on the file of the Inspector of Police, Thirumuruganpoondi Police Station, Tiruppur District and consider the bail petition on the same day itself.

For Petitioner : Mr.D.Arun

For Respondent : Mr.A.Damodaran, APP

ORDER

This Criminal Original Petition has been filed seeking to direct the



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Principal District & Sessions Court/Special Court for Exclusive Trial of Cases registered under the SC/ST (Prevention of Atrocities) Act, Tiruppur, Tiruppur District to consider the bail application of the petitioner on the same day of his surrender in Crime No.5 of 2024 on the file of the respondent.

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



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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.

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

29.1.2024

Note : Issue on 30.1.2024

Index : Yes/No

Speaking Order : Yes/No

To

1.The Principal District & Sessions Court/
Special Court for Exclusive Trial of
Cases registered under the SC/ST
(Prevention of Atrocities) Act, Tiruppur,
Tiruppur District.

2.The Inspector of Police,
Thirumuruganpoondi Police Station,
Tiruppur District.

3.The Public Prosecutor,
High Court, Madras.

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N.ANAND VENKATESH,J

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