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Crl.O.P.No.1744 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.2.2024

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THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.1744 of 2024

1.M.Santhosh
2.Parthiban
3.Srikanth

...Petitioners

Vs.

1.State rep.by
The Deputy Superintendent
of Police, Pachal Police Station,
Tiruvannamalai District.

2.The Sub-Inspector of Police,
Tiruvannamalai Police Station,
Tiruvannamalai.

...Respondents

Criminal Original Petition under Section 482 of the Criminal Procedure Code praying to direct the learned Special Court for Exclusive Trial of SC & ST Cases, Tiruvannamalai to consider the bail application on the same day for the petitioners in Crime No.542 of 2023.

For Petitioners : Mr.M.Krishna Moorthy
For Respondents : Mr.A.Damodaran, APP



Crl.O.P.No.1744 of 2024

ORDER

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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 petitioners are 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 Section 15A(3) of the Act to the victim or 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



Crl.O.P.No.1744 of 2024

the victim or her dependent either in person or through counsel/ legal aid counsel as mandated under Section 15A(5) of the Act, in compliance with the judgment in the case of *Hariram Bhambhi Vs. Satyanarayan* [reported in *2021 SCC Online SC 1010*].

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

01.2.2024

Note : Issue on 02.2.2024

Index : Yes/No

Speaking Order : Yes/No

To

- 1.The Special Court for Exclusive Trial of Cases registered under the SC/ST (Prevention of Atrocities) Act, Tiruvannamalai.
- 2.The Deputy Superintendent of Police, Pachal Police Station, Tiruvannamalai District.
- 3.The Sub-Inspector of Police, Tiruvannamalai Police Station, Tiruvannamalai.
- 4.The Public Prosecutor, High Court, Madras.

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Crl.O.P.No.1744 of 2024

N.ANAND VENKATESH,J

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Crl.O.P.No.1744 of 2024

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