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Crl.O.P.No.1379 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.1.2024

CORAM

THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.1379 of 2024

1.Jeeva

2.Jayaprakash

...Petitioners

Vs.

The State rep.by
The Inspector of Police,
Mallur Police Station,
Salem District.

...Respondent

Criminal Original Petition under Section 482 of the Criminal Procedure Code praying to direct the learned District & Sessions Judge, Salem to consider the petitioners' bail application in Crime No.9 of 2024 on the file of the respondent police on the same day of their surrender.

For Petitioners : Mr.L.Ramanathan

For Respondent : Mr.A.Damodaran, APP

ORDER

This Criminal Original Petition has been filed seeking to direct the District & Sessions Court/Special Court for Exclusive Trial of Cases registered under the SC/ST (Prevention of Atrocities) Act, Salem to consider



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the bail application of the petitioners on the same day of their surrender in Crime No.9 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 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.

29.1.2024

Note : Issue on 30.1.2024

Index : Yes/No

Speaking Order : Yes/No

To

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

2.The Inspector of Police,
Mallur Police Station,
Salem District.

3.The Public Prosecutor,
High Court, Madras.

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