



Crl.O.P.No.1655 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.1.2024

CORAM

THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.1655 of 2024

Malar (a) Malarkodi

...Petitioner

Vs.

1.The Deputy Superintendent of
Police, Kallakurichi District,
Kallakurichi.

2.The Inspector of Police,
Chinnasalem Police Station,
Kallakurichi.

...Respondents

Criminal Original Petition under Section 482 of the Criminal Procedure Code praying to direct the learned Sessions Judge (Special Court for Exclusive Trial of SC/ST (PoA) Cases, Kallakurichi to accept the surrender of the petitioner herein concerned in Crime No.751 of 2023 on the file of the Inspector of Police, Chinnasalem, Kallakurichi and consider her bail application on the same day itself.



WEB COPY



Crl.O.P.No.1655 of 2024

For Petitioner : Mr.S.Sivakumar
For Respondents : Mr.A.Damodaran, APP

ORDER

This Criminal Original Petition has been filed seeking to direct the Sessions Court/Special Court for Exclusive Trial of Cases registered under the SC/ST (Prevention of Atrocities) Act, Kallakurichi to consider the bail application of the petitioner on the same day of her surrender in Crime No.751 of 2023 on the file of the second 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 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



Crl.O.P.No.1655 of 2024

expeditiously as possible on merits and in accordance with law, after hearing 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.

31.1.2024

Note : Issue on 01.2.2024

Index : Yes/No

Speaking Order : Yes/No

To

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



Crl.O.P.No.1655 of 2024

N.ANAND VENKATESH,J

gm

Crl.O.P.No.1655 of 2024

31.1.2024