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Crl.O.P.No.1510 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.1510 of 2024

1.Indirani
2.Ramasamy
3.Balamurugan
4.Sanmathy
5.Banu Priya

...Petitioners

Vs.

1.The State rep.by
The Deputy Superintendent of
Police, Coimbatore, Coimbatore District.

2.The Inspector of Police,
All Women Police Station,
Coimbatore-10.

3.Uma

...Respondents

Criminal Original Petition under Section 482 of the Criminal Procedure Code praying to direct the Special Court for Trial of Cases registered under the SC/ST (Prevention of Atrocities) Act, 1989 at Coimbatore to accept the surrender of the petitioners herein connected in Crime No.1 of 2024 on the file of the second respondent police and consider the bail petition on the same day itself.

For Petitioners : Mr.Dr.S.Manoharan



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For R1 & R2 : Mr.A.Damodaran, APP

ORDER

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This Criminal Original Petition has been filed seeking to direct the Special Court for Exclusive Trial of Cases registered under the SC/ST (Prevention of Atrocities) Act, Coimbatore to consider the bail application of the petitioners on the same day of their surrender in Crime No.1 of 2024 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 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



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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 Special Court for Exclusive Trial of Cases registered under the SC/ST (Prevention of Atrocities) Act, Coimbatore.
- 2.The Deputy Superintendent of Police, Coimbatore, Coimbatore District.
- 3.The Inspector of Police, All Women Police Station, Coimbatore-10.
- 4.The Public Prosecutor, High Court, Madras.

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