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Crl.O.P.No.1652 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.1652 of 2024

Sekar

...Petitioner

Vs.

1.The Deputy Superintendent of
Police, Kottakuppam,
Villupuram.

2.State rep.by
The Inspector of Police,
Auroville Police Station,
Villupuram.

...Respondents

Criminal Original Petition under Section 482 of the Criminal Procedure Code praying to direct the learned Special Sessions & District Judge, Villupuram (Special Court for SC & ST Cases) to accept the surrender of the petitioner herein concerned in Crime No.761 of 2023 on the file of the Inspector of Police, Auroville, Villupuram and consider the bail application on the same day itself.



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For Petitioner : Ms.S.Radhika
For Respondents : Mr.A.Damodaran, APP

ORDER

This Criminal Original Petition has been filed seeking to direct the District and Sessions Court/Special Court for Exclusive Trial of Cases registered under the SC/ST (Prevention of Atrocities) Act, Villupuram to consider the bail application of the petitioner on the same day of his surrender in Crime No.761 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 his dependent by RPAD/through the respondent police and on such service of notice, the learned Special Judge shall deal with the matter as



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expeditiously as possible on merits and in accordance with law, after hearing the victim or his 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 District & Sessions Court/Special Court for Exclusive Trial of Cases registered under the SC/ST (Prevention of Atrocities) Act, Villupuram.
- 2.The Deputy Superintendent of Police, Kottakuppam, Villupuram.
- 3.The Inspector of Police, Auroville Police Station, Villupuram.
- 4.The Public Prosecutor, High Court, Madras.

gm

N.ANAND VENKATESH,J

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