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Crl.O.P.No.1749 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.2.2024

CORAM

THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

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- 1.Muniyappan
- 2.Murugan
- 3.Praveen
- 4.Sankar
- 5.S.Vasanthakumar
- 6.Malligaarjunan
- 7.Anbalagan
- 8.R.Pownkumar
- 9.Kaliyappan
- 10.Sathish (a) Sathishkumar
- 11.Ragavan

...Petitioners

Vs.

- 1.State rep.by
The Deputy Superintendent of Police,
Polur, Tiruvannamalai District.
- 2.The Inspector of Police, Kadaladi
Police Station, Tiruvannamalai District.

...Respondents

Criminal Original Petition under Section 482 of the Criminal Procedure Code praying to direct the Principal District & Sessions Judge-cum-Special Judge for SC/ST Cases, Tiruvannamalai to consider and pass



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order on the petitioners' bail application in connection with Crime No.56 of 2024 on the file of the second respondent police on their surrender.

For Petitioners : Mr.E.Sathiyaraj
For Respondents : Mr.A.Damodaran, APP

ORDER

This Criminal Original Petition has been filed seeking to direct the Principal District & Sessions Court/Special Court for Exclusive Trial of Cases registered under the SC/ST (Prevention of Atrocities) Act, Tiruvannamalai to consider the bail application of the petitioners on the same day of their surrender in connection with Crime No.56 of 2024 on the file of the second respondent police.

2. Today, when the matter is called, the learned counsel for the petitioners submits that this petition is not pressed as against petitioners 8 to 10. He has also made an endorsement in the bundle today to that effect. ***This is recorded.***

3. In view of the amendments made in the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for brevity



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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, petitioners 1 to 7 and 11 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 his 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 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.

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N.ANAND VENKATESH,J

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Note : Issue on 02.2.2024

Index : Yes/No

Speaking Order : Yes/No

To

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

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