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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.1866 of 2024

1.Sugan @ Suman

2.Pannerselvam

3.Manohar

4.Manivannan

...Petitioners

Vs.

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

2.The State Rep. by
The Inspector of Police,
Tirukoilur Police Station,
Kallakurichi District.

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the learned Special Sessions Court for SC/ST (Prevention of Atrocities) Amendment Act at Villupuram to consider the bail application of the petitioners herein on the same day of surrender pertaining to the Crime No.56 of 2024 on the file of the Tirukoilur Police Station , Kallakuruchi District.



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For Petitioners : Mr.D.Lakshmipathy

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking to direct the learned Special Sessions Court for SC/ST (Prevention of Atrocities) Amendment Act at Villupuram to consider the bail application of the petitioners herein on the same day of surrender pertaining to the Crime No.56 of 2024 on the file of the Tirukoilur Police Station , Kallakuruchi District.

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 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 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.

02.02.2024

Index: Yes/No
Speaking order/Non-speaking Order
Neutral Citation: Yes/No
ssr

Note: Issue Order Copy on 05.02.2024

To

- 1.The Deputy Superintendent of Police,
Tirukoilur,
Kallakurichi District.
- 2.The State Rep. by
The Inspector of Police,
Tirukoilur Police Station,
Kallakurichi District.
- 3.The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

SSR

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