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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.2518 of 2024

1.Prakash

2.Govindhammal

3.Senthil @ Senthilkumar

...Petitioners

Vs.

The State Rep. by

1.The Deputy Superintendent of Police,
Palacode, Dharmapuri District.

2.The Sub Inspector of Police,
Kariamangalam Police Station,
Dharmapuri District.
(Crime No.39 of 2024)

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the learned District and Sessions Court, Dharmapuri (Special Judge for SC & ST Act) to consider their surrender and pass appropriate orders on the bail application filed by the petitioners on the same day in connection with Crime No.39 of 2024 on the file of respondent police.

For Petitioners : Mr.P.M.Jayachandran

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor



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ORDER

This Criminal Original Petition has been filed seeking to direct the learned District and Sessions Court, Dharmapuri (Special Judge for SC & ST Act) to consider their surrender and pass appropriate orders on the bail application filed by the petitioners on the same day in connection with Crime No.39 of 2024 on the file of respondent police.

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.

08.02.2024

Index: Yes/No

Speaking order/Non-speaking Order

Neutral Citation: Yes/No

ssr

Note: Issue Order Copy on 09.02.2024

To

1.The District and Sessions Court,
Dharmapuri
(Special Judge for SC & ST Act)

2.The Deputy Superintendent of Police,
Palacode, Dharmapuri District.

3.The Sub Inspector of Police,
Kariamangalam Police Station,
Dharmapuri District.

4.The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

SSR

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