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Crl.O.P. No. 2786 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.02.2024

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.2786 of 2024

K.Mani

.. Petitioner

Vs.

1. The Deputy Superintendent
of Police,
Thiruppur District,
Thiruppur.

2. The Inspector of Police,
Moolanur Police Station,
Tiruppur District.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the learned Principal District and Sessions Judge/Special Courts for SC/ST Cases, Tiruppur, to consider the bail application of the petitioner herein on the very day of surrender pertaining to the Crime No.46 of 2024 on the file of the Moolanur Police station, Tiruppur District.

For Petitioners : Mr.M.Guruprasad

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor



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Crl.O.P. No. 2786 of 2024

ORDER

This Criminal Original Petition has been filed seeking a direction, to the learned Principal District and Sessions Judge/Special Courts for SC/ST Cases, Tiruppur, to consider the bail application of the petitioner herein on the very day of surrender pertaining to the Crime No.46 of 2024 on the file of the Moolanur Police station, Tiruppur 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**



Crl.O.P. No. 2786 of 2024

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 Sec 15A (5) of the Act, in compliance with *Hariram Bhambhi vs Satyanarayan, reported in 2021 SCC Online SC 1010.*

3. This Criminal Original Petition is disposed of with the above directions.

09.02.2024

Index :Yes/No

Internet:Yes/No

Speaking/Non speaking order

rka

Note : Issue order copy on 12.02.2024



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Crl.O.P. No. 2786 of 2024

N. ANAND VENKATESH,J

rka

To

1. The Principal District and Sessions Judge/Special Courts for SC/ST Cases, Tiruppur,
2. The Deputy Superintendent of Police,
Thiruppur District,
Thiruppur.
3. The Inspector of Police,
Moolanur Police Station,
Tiruppur District.
4. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.2786 of 2024

09.02.2024