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Crl.O.P. No. 3145 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.02.2024

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THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.3145 of 2024

1.Chandru
2.Siva
3.Annamalai
4.Venkateshan

.. Petitioners

Vs.

1.The Deputy Superintendent of Police,
Pachal Police Station, Tiruvannamalai District.
(Cr.No.542/2023)

2.The Sub Inspector of Police,
Pachal Police Station,
Tiruvannamalai District.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the learned Special Court for the exclusive trial of SC and ST Cases, Tiruvannamalai to consider the bail application on surrendering and filing of the bail application by the petitioners on the same day in Cr.No.542 of 2023 on the file of the 2nd respondent Police.

For Petitioners : Mr.M.Krishna Moorthy

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor



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ORDER

This Criminal Original Petition has been filed seeking a direction, to the learned Special Court for the exclusive trial of SC and ST Cases, Tiruvannamalai, to consider the bail application of the petitioners herein on the very day of surrender pertaining to the Crime No.542 of 2023 on the file of the 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,**



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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.

14.02.2024

Index :Yes/No

Internet:Yes/No

Speaking/Non speaking order

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Note : Issue order copy on 15.02.2024



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N. ANAND VENKATESH,J

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To

1. The Special Court for the exclusive trial of SC and ST Cases,
Tiruvannamalai
- 2.The Deputy Superintendent of Police,
Pachal Police Station, Tiruvannamalai District.
(Cr.No.542/2023)
- 3.The Sub Inspector of Police,
Pachal Police Station,
Tiruvannamalai District.
- 4.The Public Prosecutor,
High Court, Madras.

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