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Crl.O.P. No. 2984 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.02.2024

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.2984 of 2024

Mohan

.. Petitioner

Vs.

1. The Deputy Superintendent of Police,
Ambur, Thirupathur District,
2. The Sub Inspector of Police,
Omerabad Police Station,
Ambur 635 808,
Thirupathur District.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the learned Sessions Judge, Special Court for SC/ST Act, Vellore District to consider the bail application on surrendering and filing of the bail application by the petitioners on the same day in Cr.No.51/2024 on the file of the 2nd respondent Police.

For Petitioner : Mr.B.Gopalakrishnan

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 learned Sessions Judge, Special Court for SC/ST Act, Vellore District, to consider the bail application of the petitioner herein on the very day of surrender pertaining to the Crime No.51 of 2024 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 petitioner is 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

N. ANAND VENKATESH,J



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1. The learned Sessions Judge, Special Court for SC/ST Act,
Vellore District
2. The Deputy Superintendent of Police,
Ambur, Thirupathur District,
3. The Sub Inspector of Police,
Omerabad Police Station,
Ambur 635 808,
Thirupathur District.
4. The Public Prosecutor,
High Court, Madras.

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