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CrI.O.P.No.4415 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.4415 of 2024

1.Chinnapillai @ Subramaniyan
2.Kamaraj

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Jayamkondam,
Ariyalur District.

2.Inspector of Police,
Meensurutty Police Station,
Ariyalur District.

... Respondents

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to direct the learned Principal District and Sessions Judge at Ariyalur to consider the bail application filed by the petitioners in connection with in Spl.SC.No.45 of 2023 on the file of the learned Principal District and Sessions Judge at Ariyalur on their surrender on the same day on sympathetic ground.

For Petitioners : Mr.R.Karunakaran

For Respondents : Mr.A.Damodaran

Additional Public Prosecutor



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ORDER

This petition has been filed seeking to direct the learned Principal District and Sessions Judge at Ariyalur to consider the bail application filed by the petitioners in connection with in Spl.SC.No.45 of 2023 on the file of the learned Principal District and Sessions Judge at Ariyalur on their surrender on the same day.

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 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 Sec 15A (5) of the Act, in compliance with **Hariram**

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Bhambhi vs Satyanarayan, reported in **2021 SCC Online SC 1010**.

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3.This criminal original petition is disposed of with the above directions.

26.02.2024

pri

Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

- 1.The Deputy Superintendent of Police,
Jayamkondam,
Ariyalur District.
- 2.The Inspector of Police,
Meensurutty Police Station,
Ariyalur District.
- 3.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.



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N.ANAND VENKATESH,J.
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