



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.3695 of 2024

T.Sivakumar

...Petitioner

Vs.

1.The Assistant Commissioner of Police,
Pallavaram Circle,
Chennai – 600 048.

2.The Inspector of Police,
Shankar Nagar Police Station,
Tambaram, Chennai.

3.Raja

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the learned Principal and District Judge, Chengalpattu to consider the bail application of the petitioner on his surrender before the Court on the same day on merits in accordance with law in connection with Crime No.213 of 2023 pending investigation on the file of the respondent police.

For Petitioners : Mr.Pradeep Jayaraman

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER



This Criminal Original Petition has been filed seeking to direct the learned Principal and District Judge, Chengalpattu to consider the bail application of the petitioner on his surrender before the Court on the same day on merits in accordance with law in connection with Crime No.213 of 2023 pending investigation 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, 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*].



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

20.02.2024

Index: Yes/No

Speaking order/Non-speaking Order

Neutral Citation: Yes/No

ssr

Note: Issue Order Copy on 21.02.2024

To

1. The Principal and District Judge, Chengalpattu.

2. The Assistant Commissioner of Police,
Pallavaram Circle,
Chennai – 600 048.

3. The Inspector of Police,
Shankar Nagar Police Station,
Tambaram, Chennai.

4. The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

SSR

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