



Crl.O.P.No.4482 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.2.2024

CORAM

THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.4482 of 2024

1.Nagaraj
2.Balaji
3.Manikandan

...Petitioners

Vs.

1.The Deputy Superintendent of
Police, Neyveli Sub-Division,
Cuddalore District.

2.The State rep.by
The Inspector of Police,
Kullanchavadi Police Station,
Cuddalore District.

...Respondents

Criminal Original Petition under Section 482 of the Criminal Procedure Code praying to direct the learned Sessions Judge, Special Court for Trial of Cases under the SC/ST (Prevention of Atrocities) Act, Cuddalore, Cuddalore District to accept the surrender of the petitioners herein concerned in Crime No.381 of 2023 pending on the file of the Inspector of Police, Kullanchavadi Police Station, Cuddalore District and consider the bail petition on the same day itself.



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For Petitioners : Mr.R.Silambarasan
For Respondents : Mr.A.Damodaran, APP

ORDER

This Criminal Original Petition has been filed seeking to direct the Sessions Court, [Special Court for Exclusive Trial of Cases registered under the SC/ST (Prevention of Atrocities) Act], Cuddalore, Cuddalore District to accept the surrender of the petitioners in Crime No.381 of 2023 pending on the file of the second respondent and to consider their bail petition on the same day of their surrender.

2. The learned counsel for the petitioners seeks permission to withdraw this petition in so far as petitioners 2 and 3 are concerned. He has also made an endorsement in the bundle today to that effect.

3. In view of the endorsement made by the learned counsel for the petitioners, this criminal original petition is dismissed as withdrawn in so far as petitioners 2 and 3 are concerned.



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4. 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 first 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 Section 15A(3) of the Act to the victim or his 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 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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5. This Criminal Original Petition is disposed of to the extent indicated

above.

28.2.2024

Note : Issue on 29.2.2024

Index : Yes/No

Speaking Order : Yes/No

To

1.The Sessions Court (Special Court for Exclusive Trial of Cases registered under the SC/ST (Prevention of Atrocities) Act, Cuddalore, Cuddalore District.

2.The Deputy Superintendent of Police, Neyveli Sub-Division, Cuddalore District.

3.The Inspector of Police, Kullanchavadi Police Station, Cuddalore District.

4.The Public Prosecutor, High Court, Madras.

SSR



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N.ANAND VENKATESH,J

SSR

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