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CrI.O.P. No. 4081 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.02.2024

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

CrI.O.P.No.4081 of 2024

Mathi

.. Petitioner

Vs.

1. The Deputy Superintendent of Police,
Villupuram district

2. State Rep. By
The Inspector of Police,
Valathy Police station,
Villupuram District

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the learned Principal District and Sessions Judge Special Court for SC/ST Act Cases Villupuram to consider the bail application of the petitioner on the date of surrender before the court in connection with Crime No 360 of 2021 dated on 24.06.2021 on the file of the 2nd respondent police.

For Petitioner : Mr.N.Edwin Jeyakumar

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor



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ORDER

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This Criminal Original Petition has been filed seeking a direction, to the learned Sessions Judge Special Court for SC/ST Act Cases Villupuram, to consider the bail application of the petitioner herein on the very day of surrender pertaining to the Cr.No.360 of 2021 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.

22.02.2024

Index :Yes/No

Internet:Yes/No

Speaking/Non speaking order

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Note : Issue order copy on 23.02.2024

N. ANAND VENKATESH,J



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1. The Sessions Judge Special Court for SC/ST Act Cases Villupuram
2. 1. The Deputy Superintendent of Police,
Villupuram district
3. State Rep. By
The Inspector of Police,
Valathy Police station,
Villupuram District
4. The Public Prosecutor,
High Court, Madras.

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