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CRL.O.P No.6163 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.6163 of 2024

1.V.Vinayakam
S/o.Veeraragavan

2.V.Nagaraj
S/o.Veeraragavan

...Petitioners

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Thiruvallur District.

2.The State represented by
The Inspector of Police,
Arambakkam Police Station,
Thiruvallur District.
Crime No.121 of 2024

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to direct the learned Principal District and Sessions (Special Judge under SC/ST Act) Judge, Thiruvallur District, to consider the bail petition of the petitioners on the same day of their surrender in connection with the case in Crime No.121 of 2024 on the file of respondent police.



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For Petitioners : Mr.S.Gopi
For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This petition has been filed seeking a direction to the learned Principal District and Sessions (Special Judge under SC/ST Act) Judge, Thiruvallur District, to consider the bail application of the petitioners on the same day in the event of their surrender in connection with Crime No.121 of 2024 on the file of the second 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 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



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

This Criminal Original Petition is disposed of with the above direction.

14.03.2024

Index: Yes/No
Speaking order/Non-speaking Order
Neutral Citation: Yes/No
gm

Note: Issue order copy by 15.03.2024

To

- 1.The Principal District and Sessions
(Special Judge under SC/ST Act) Judge,
Tiruvallur District.
- 2.The Superintendent of Police,
Thiruvallur District.



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3.The Inspector of Police,
Arambakkam Police Station,
Thiruvallur District.
Crime No.121 of 2024

4.The Public Prosecutor,
High Court, Madras.

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