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CRL.O.P No.5004 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.5004 of 2024

Nandha @ Selvakumar

... Petitioner

Vs.

1. The Deputy Superintendent of Police
Tirukoilur,
Tirukoilur Police Station,
Crime No.56 of 2024

2. The State Rep by
The Inspector of Police,
Tirukoilur Police Station,
Crime No.56 of 2024

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to direct the learned Special Court of SC and ST (Prevention of Atrocities) Amendment Act cases, at Kallakuruchi to consider the Bail Application of the Petitioner herein in Crime No.56 of 2024 on the file of the respondent police on the same day of their surrender.

For Petitioner : Mr.S.Natarajan

For Respondents : Mr.A.Gopinath
Government Advocate (Crl.Side)



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ORDER

This petition has been filed seeking a direction to the learned Special Court of SC and ST (Prevention of Atrocities) Amendment Act cases, at Kallakuruchi, to consider the bail application of the petitioner on the same day in the event of his surrender in connection with Crime No.56 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 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, 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,



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in compliance with *Hariram Bhambhi vs Satyanarayan*, reported in 2021

WEB **SCC Online SC 1010.**

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

01.03.2024

Index: Yes/No

Speaking order/Non-speaking Order

Neutral Citation: Yes/No

adl

Note: Issue order copy by 04.03.2024

To

1. The Special Court of SC and ST (Prevention of Atrocities) Amendment Act cases, at Kallakuruchi.

2. The Deputy Superintendent of Police
Tirukoilur,
Tirukoilur Police Station,
Crime No.56 of 2024

3. The Inspector of Police,
Tirukoilur Police Station,
Crime No.56 of 2024

4. The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

adl

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