



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.5162 of 2024

1.Sambath

2.Ramesh

3.Elumalai

4.Manivannan

...Petitioners

Vs.

1.The Deputy Superintendent of Police, (DSP)
Thiruvannamalai (Town Sub-Division)
Thiruvannamalai District.

2.The State Rep. by
The Inspector of Police,
Thiruvannamalai West Police Station,
Thiruvannamalai District.
(Crime No.118 of 2024)

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the Sessions Judge, Special Court for Exclusive trial of cases registered under the SC/ST (POA) Act 1989, Tiruvannamalai to consider the bail petition on the same day on the event of their surrender in Crime No.118 of 2024 on the file of the Inspector of Police, Tiruvannamalai West Police Station, Tiruvannamalai District.



For Petitioners : Mr.S.Silambuselvan

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking to direct the Sessions Judge, Special Court for Exclusive trial of cases registered under the SC/ST (POA) Act 1989, Tiruvannamalai to consider the bail petition on the same day on the event of their surrender in Crime No.118 of 2024 on the file of the Inspector of Police, Tiruvannamalai West Police Station, Tiruvannamalai District.

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.



WEB COPY

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*].

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

05.03.2024

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

Note: Issue Order Copy on 06.03.2024

To

- 1.The Sessions Judge,
Special Court for exclusive trial of cases registered
under the SC/ST (POA) Act 1989, Tiruvannamalai.
- 2.The Deputy Superintendent of Police, (DSP)
Tiruvannamalai (Town Sub-Division)
Tiruvannamalai District.



WEB COPY



N.ANAND VENKATESH, J

SSr

3.The Inspector of Police,
Thiruvannamalai West Police Station,
Thiruvannamalai District.

4.The Public Prosecutor,
High Court, Madras.

CRL.O.P No.5162 of 2024

05.03.2024