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CRL.O.P No.5300 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.5300 of 2024

Selvi

W/o.Murugesan

...Petitioner

Vs.

1.State represented by

The Deputy Superintendent of Police,
Thittakudi, Cuddalore District.

2.The Inspector of Police,

Ramanatham Police Station,
Cuddalore District.
Crime No.46 of 2024

3.Sivaperumal

S/o.Pachamuthu

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to direct the learned Sessions Judge, Special Court for SC/ST (POA) Act cases at Cuddalore to accept the surrender of the petitioner and consider her bail application on the same day in Cr.No.46/2024 on the file of the second respondent police.

For Petitioner : Mr.S.Senthil Kumar

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor



CRL.O.P No.5300 of 2024

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ORDER

This petition has been filed seeking a direction to the learned Sessions Judge, Special Court for SC/ST (POA) Act cases at Cuddalore, to consider the bail application of the petitioner on the same day in the event of her surrender in connection with Crime No.46 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



CRL.O.P No.5300 of 2024

WEB COPY

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.

06.03.2024

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

Note: Issue order copy by 07.03.2024

To

- 1.The Sessions Judge,
Special Court for SC/ST (POA) Act cases,
Cuddalore.
- 2.The Deputy Superintendent of Police,
Thittakudi, Cuddalore District.
- 3.The Inspector of Police,
Ramanatham Police Station,
Cuddalore District.
Crime No.46 of 2024
- 4.The Public Prosecutor,
High Court, Madras.



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CRL.O.P No.5300 of 2024

N.ANAND VENKATESH, J

gm

CRL.O.P No.5300 of 2024

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