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CRL.O.P No.5640 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.5640 of 2024

Krishnaraj
S/o.Venkatesan Devaraj

...Petitioner

Vs.

1.The Deputy Superintendent of Police,
O/o.Deputy Superintendent of Police,
Salem Main Road,
Ulundurpet, Kallakurichi District.

2.The State represented by its
The Sub-Inspector of Police,
Ulundurpet Police Station,
Kallakurichi District.
Crime No.143 of 2020

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to direct the learned Sessions Judge, Special Court for Exclusive Trial of Cases registered under SC/ST (POA) Act cases, Villupuram District to consider the petitioner's bail application on the same day in the event of his surrender in Crime No.143 of 2020 dated 17.03.2020 on the file of respondent police.



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For Petitioner : Mr.S.Saravana Kumar
For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This petition has been filed seeking a direction to the learned Sessions Judge, Special Court for Exclusive Trial of Cases registered under SC/ST (POA) Act cases, Villupuram District, to consider the bail application of the petitioner on the same day in the event of his surrender in connection with Crime No.143 of 2020 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



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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, 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.

08.03.2024

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

Note: Issue order copy by 11.03.2024



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N.ANAND VENKATESH, J

gm

To

- 1.The Sessions Judge,
Special Court for Exclusive Trial of Cases
registered under SC/ST (POA) Act cases,
Villupuram District.
- 2.The Deputy Superintendent of Police,
O/o.Deputy Superintendent of Police,
Salem Main Road,
Ulundurpet, Kallakurichi District.
- 3.The Sub-Inspector of Police,
Ulundurpet Police Station,
Kallakurichi District.
Crime No.143 of 2020
- 4.The Public Prosecutor,
High Court, Madras.

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