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Crl.O.P.No.6055 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.6055 of 2024

Kanagaraj

.. Petitioner

Vs.

1.State Represented By:-

The Deputy Superintendent of Police,
Mannargudi Division,
Thiruvarur District.

2.The Inspector of Police,
Perugavazhathan Police Station,
Thiruvarur District.
(Crime No.33 of 2024)

.. Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the learned 1st Additional District Sessions Court (PCR) Judge, Thanjavur to consider the bail petition preferred by the petitioner upon his surrender in Crime No.33 of 2024 on the file of the 2nd respondent police on the same day.

For petitioner : Mr.Swamisubramanian
For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER



Cr1.O.P.No.6055 of 2024

This petition has been filed for a direction, to direct the learned I Additional District Sessions Court (PCR) Judge, Thanjavur to accept the surrender of the petitioner herein and consider the bail petition concerned in Crime No.33 of 2024 on the file of the 2nd 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 the 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 Section 15A(5) of the Act, in compliance with the judgment in the case of **Hariram Bhambhi vs**



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Satyanarayan [reported in ***2021 SCC Online SC 1010***].

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

13.03.2024

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Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No

NOTE: Issue order copy on 14.03.2024.

To

- 1.The I Additional District Sessions Court (PCR) Judge,
Thanjavur.
- 2.State Represented By:-
The Deputy Superintendent of Police,
Mannargudi Division,
Thiruvarur District.
- 3.The Inspector of Police,
Perugavazhanthan Police Station,
Thiruvarur District
- 4.The Public Prosecutor,
Madras High Court, Chennai.

N.ANAND VENKATESH, J.



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