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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.5961 of 2024

Anwar Basha

...Petitioner

Vs.

1.The Deputy Superintendent of Police,
Pollachi, Coimbatore District.

2.The State Rep. by
The Inspector of Police,
Anamalai Police Station,
Coimbatore District.
(Crime No.544 of 2023)

3.Appankumar

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the Principal District and Session Judge (Special Judge for SC/ST Act Cases) Coimbatore District to accept the surrender of the petitioner along with bail application, consider the same day on merits in Crime No.544 of 2023 on the file of the 2nd respondent police herein.

For Petitioners : Mr.V.Lakshmi Narayanan

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor for R1&R2



ORDER

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This Criminal Original Petition has been filed seeking to direct the Principal District and Session Judge (Special Judge for SC/ST Act Cases) Coimbatore District to accept the surrender of the petitioner along with bail application, consider the same day on merits in Crime No.544 of 2023 on the file of the 2nd respondent police herein.

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***



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

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

12.03.2024

Index: Yes/No

Speaking order/Non-speaking Order

Neutral Citation: Yes/No

ssr

Note: Issue Order Copy on 13.03.2024

To

- 1.The Principal District and Session Judge
(Special Judge for SC/ST Act Cases) Coimbatore District.
- 2.The Deputy Superintendent of Police,
Pollachi, Coimbatore District.
- 3.The State Rep. by
The Inspector of Police,
Anamalai Police Station,
Coimbatore District.
- 3.The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

SSR

CRL.O.P No.5961 of 2024

12.03.2024