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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.5978 of 2024

- 1.Sankar @ Sankaralingam
- 2.Ramasamy
- 3.Manikandan
- 4.Kalimuthu

...Petitioners

Vs.

- 1.The Deputy Superintendent of Police,
Villupuram District,
Villupuram.

- 2.The State rep. by
The Inspector of Police,
Thiruvannainallur Police Station,
Villupuram District.
(Crime No.225 of 2024)

...Respondents

Criminal Original Petition under Section 482 of the Criminal Procedure Code praying to direct the Special Court for Exclusive Trial of SC/ST cases, Villupuram, to accept the surrender of the petitioners /A1 to A4 in connection with the Crime No.225 of 2024 on the file fo the respondent police and consider the Petitioners /A1 to A4 bail application on the same day.

For Petitioners : Mr.D.Gopinath
For Respondents : Mr.A.Damodaran, APP



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ORDER

This Criminal Original Petition has been filed seeking to direct the Special Court for Exclusive Trial of SC/ST cases, Villupuram, to accept the surrender of the petitioners /A1 to A4 in connection with the Crime No.225 of 2024 on the file fo the respondent police and consider the Petitioners /A1 to A4 bail application on the same day.

2.It is submitted by the learned Additional Public Prosecutor that the first petitioner has already been arrested.

3. In view of the said submission made by the learned Additional Public Prosecutor, this criminal original petition is dismissed in so far as first petitioner is concerned.

4. 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 2 to 4 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 Section 15A(3) of the Act to the victim or 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 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*].

5. This Criminal Original Petition is disposed of to the extent indicated above.

12.03.2024

Note : Issue order copy on 13.03.2024

Index : Yes/No
Speaking Order : Yes/No
ssr



N.ANAND VENKATESH,J

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SSR

To

- 1.The Special Court for Exclusive Trial of SC/ST cases,
Villupuram.
- 2.The Deputy Superintendent of Police,
Villupuram District,
Villupuram.
- 3.The Inspector of Police,
Thiruvannainallur Police Station,
Villupuram District.
- 4.The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.5978 of 2024

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