



Crl.O.P. No. 6229 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15.03.2024

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.6229 of 2024

1. C.Gurusamy
2. B.Boopathi
3. K.Sekar
4. Vishvanath @ Viswanathan
5. D.Manikandan

.. Petitioners

Vs.

1. State Rep. By
The Deputy superintendent of Police,
Mettur Sub Division,
Salem District.

2. The Inspector of Police,
Kolathur Police Station,
Salem District

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the learned Special Sessions Judge for SC/ST Act cases at Salem to accept the surrender of the petitioners and to consider the bail petition on the same day in Cr.No.62/2024 on the file of the 2nd respondent police.

For Petitioner : Mr.C.Deepak kumar



WEB COPY



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For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking for a direction to the learned Special Sessions Judge for SC/ST Act cases at Salem to accept the surrender of the petitioners and to consider the bail petition on the same day in Cr.No.62/2024 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 petitioners 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 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,**



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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.

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

15.03.2024

Index :Yes/No

Internet:Yes/No

Speaking/Non speaking order

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Note : Issue order copy on 18.03.2024

N. ANAND VENKATESH,J



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1. Special Sessions Judge for SC/ST Act cases at Salem
2. State Rep. By
The Deputy superintendent of Police,
Mettur Sub Division,
Salem District.
3. The Inspector of Police,
Kolathur Police Station,
Salem District
4. The Public Prosecutor,
High Court, Madras.

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