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Crl.O.P. No. 6424 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.6424 of 2024

1. K.Gopinathan
2. Sugumaran
3. B.Chandrasekar

.. Petitioners

Vs.

1. The Assistant Commissioner of Police,
Office of the Assistant Commissioner
SRMC, Chennai
2. The Inspector of Police,
T-15, SRMC Police Station,
Avadi Commissionerate, Chennai

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, direct the Honble Principal District and Sessions Judge at Tiruvallur to consider the Bail Application to be filed by the petitioners in Crime No.877/2023, for the offences u/s.447,324,341,294(b) and 427 of IPC @ 447,324,341,294(b), 427 of IPC r/w. Sec.3(2)9(va) of SC and ST (Prevention of Atrocities) Act, 1989 and release them on bail on the very same day of their surrender by filing the bail petition before the said court and pass such or other and further order which may deem fit in the



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Crl.O.P. No. 6424 of 2024

circumstances of this case and thus render justice.

For Petitioner : Mr.K.Madhan

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction, to the learned Special Courts for SC/ST (Prevention of Atrocities) Act Cases, Thiruvallur, to consider the bail application of the petitioner herein on the very day of surrender pertaining to the Crime No.877 of 2023 on the file of the 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**



Crl.O.P. No. 6424 of 2024

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*.

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



Crl.O.P. No. 6424 of 2024

N. ANAND VENKATESH,J

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To

1. The Special Courts for SC/ST (Prevention of Atrocities) Act Cases,
Thiruvallur,
2. The Assistant Commissioner of Police,
Office of the Assistant Commissioner
SRMC, Chennai
3. The Inspector of Police,
T-15, SRMC Police Station,
Avadi Commissionerate, Chennai
4. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.6424 of 2024

15.03.2024