



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.7657 of 2024

1.Vaithiyanathan

2.Arumugam

3.Imrankhan @ Imran

4.Murugavel

...Petitioner

Vs.

1.The Deputy Superintendent of Police,
Ulundurpet,
Ulundurpet Police Station,
Crime No.710 of 2023.

2.State Rep. by: The Inspector of Police,
Ulundurpet Police Station,
(Crime No.710 of 2023)

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the learned Special Court for SC and ST (POA) Amendment Act Cases at Kallakurichi to consider the bail application of the petitioners herein in Crime No.710 of 2023 on the file of the respondent police on the same day of their surrender and thus render justice.



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For Petitioners : Mr.S.Natarajan

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking to direct the learned Special Court for SC and ST (POA) Amendment Act Cases at Kallakurichi to consider the bail application of the petitioners herein in Crime No.710 of 2023 on the file of the respondent police on the same day of their surrender

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, 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.

28.03.2024

Index: Yes/No

Speaking order/Non-speaking Order

Neutral Citation: Yes/No

ssr

Note: Issue Order Copy on 01.04.2024

To

1.The Special Court for SC and ST (POA) Amendment
Act Cases at Kallakurichi.

2.The Deputy Superintendent of Police,
Ulundurpet,
Ulundurpet Police Station,

3.State Rep. by: The Inspector of Police,
Ulundurpet Police Station.

4.The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

SSR

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