



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2024

CORAM

**THE HONOURABLE MRS.JUSTICE K.GOVINDARAJAN
THILAKAVADI**

CRL.O.P No.25057 of 2024

Prakash

...Petitioner

Vs.

State rep.by its

1.The Deputy Superintendent of Police,
Sathyamangalam,
Erode District.

2. The Inspector of Police,
Bangalapudur Police Station,
Erode District.
(Crime No.315 of 2024)

3. V.V.Nataraj,
Village Administrative Officer,
Punjai Thuraiyampalayam A Village,
Vaniputhur,
Gobi Circle,
Erode - 638 506.

....Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, praying to direct the Principal District and Sessions Judge (Special Judge), SC/ST Act Cases, Erode to consider the bail application filed by the petitioner on his surrender in connection with Crime No.315 of 2024 on the file of the 2nd respondent police on the same day.

For Petitioner : Mr.J.Ranjithkumar

For Respondents : Mr.L.Baskaran

Government Advocate (Crl.side)

**ORDER**

This petition has been filed seeking a direction to the learned Principal District and Sessions Judge, (Special Court under SC & ST Atrocities Act) at Erode, to consider the bail application of the petitioner on the same day in the event of his surrender in connection with Crime No.315 of 2024 on the file of the second 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 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 at Erode 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 Sec 15A (5) of the Act, in compliance with *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 direction.

09.10.2024

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Index: Yes/No

Speaking order/Non-speaking Order

Neutral Citation: Yes/No

Note: Issue order copy today [09.10.2024]

To

1. The Deputy Superintendent of Police,
Sathyamangalam,
Erode District.

2. The Inspector of Police,
Bangalapudur Police Station,
Erode District.
(Crime No.315 of 2024)

3. V.V.Nataraj,
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Punjai Thuraiyampalayam A Village,
Vaniputhur,
Gobi Circle,
Erode - 638 506.

4. The Public Prosecutor,
High Court, Madras.



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K.GOVINDARAJAN THILAKAVADI, J

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