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CRL.O.P No.25191 of 2024

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 09.10.2024**

**CORAM**

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

**CRL.O.P No.25191 of 2024**

1. O.Sivakumar  
S/o.Onthachi

2. S.Vignesh @ Vikky  
S/o.Sankaran

3. S.Gowtham  
S/o.Sundarajan

4. M.Samikannu  
S/o.Manikkam

5. C.Kishore  
S/o.Cinnapillai

6. Karthick  
S/o.Muthukrishnan

...Petitioners/Accused

**Vs.**

1. The Deputy Superintendent of Police  
Perambalur District

2. The Inspector of Police  
Padalur Police Station  
Perambalur District  
Crime No.250 / 2024

...Respondents



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**PRAYER** : Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, praying to direct the Hon'ble Special Court for SC/ST cases, Perambalur District to consider the bail application on the very same day in the vent of the petitioners surrendering before the Court and filing bail application in connection with Crime No.250 of 2024 dated 27.09.2024 on the file of the 2nd respondent police.

For Petitioners : Mr.V.Achuthanandan

For Respondents : Mr.L.Baskaran  
Government Advocate (Crl.side)

### **ORDER**

This petition has been filed seeking a direction to the Special Court for SC/ST cases, Perambalur District, to consider the bail application of the petitioners on the same day in the event of their surrender in connection with Crime No.250 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 petitioners are directed to appear in-person before the Special Court within a period of two weeks from the date of receipt of



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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**.

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

**09.10.2024**

**Note: Issue today [09.10.2024]**

Index: Yes/No

Speaking order/Non-speaking Order

Neutral Citation: Yes/No

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**K.GOVINDARAJAN THILAKAVADI, J**

gpa

To

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

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**09.10.2024**