



CRL.O.P No.25224 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.25224 of 2024

1. K.Mohan
S/o.K.Kumaravel

2. S.Velu
S/o.Subramanian

...Petitioners

Vs.

1. State by
The Deputy Superintendent of Police
Deputy Superintendent of Police Office
Thirukoilur
Kallakurichi District

2. Inspector of Police
Thirukoilur Police Station
Kallakuruchi District
Crime No.206 of 2024

...Respondents

PRAYER : Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, praying to direct the Principal District and Sessions Judge, Kallkurichi to accept the surrender of the petitioners and consider the bail petition on the same day in Crime No.206 of 2024.

For Petitioners : Mr.R.Thamarai Selvan



WEB COPY



CRL.O.P No.25224 of 2024

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, Kallkurichi, to consider the bail application of the petitioners on the same day in the event of their surrender in connection with Crime No.206 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 Principal District and Sessions Judge, Kallkurichi within a period of two weeks from the date of receipt of a copy of this order. The Principal District and Sessions Judge, Kallkurichi 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 Principal District and Sessions



CRL.O.P No.25224 of 2024

WEB COPY

Judge, Kallkurichi 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

gpa

To

1. The Principal District and Sessions Judge
Kallkurichi
2. The Deputy Superintendent of Police
Deputy Superintendent of Police Office
Thirukoilur
Kallakurichi District
3. The Inspector of Police
Thirukoilur Police Station
Kallakuruchi District
4. The Public Prosecutor,
High Court, Madras.



WEB COPY



CRL.O.P No.25224 of 2024

K.GOVINDARAJAN THILAKAVADI, J

gpa

CRL.O.P No.25224 of 2024

09.10.2024