



CRL.O.P No.25206 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.25206 of 2024

Magesh @ Mageshwaran
S/o.Vellakannu

...Petitioner

Vs.

1. The Superintendent of Police
SP Office, Villupuram
Villupuram District
2. The Deputy Superintendent of Police
DSP Office, Villupuram
Villupuram District
3. State by Inspector of Police
Inspector of Police
Anandapuram Police Station
Villupuram District
(Crime No.324 of 2024)

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, praying to direct the learned Special Court for SC/ST, Villupuram to accept the surrender of the petitioner herein concerned in Crime No.324 of 2024 on the file of the Respondent police and consider the bail petition.

For Petitioner : Mr.A.Rajavel



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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 Act cases, Villupuram, to consider the bail application of the petitioner on the same day in the event of his surrender in connection with Crime No.324 of 2024 on the file of the third 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, Villupuram within a period of two weeks from the date of receipt of a copy of this order. Special Court, Villupuram 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



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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 Special Court for SC/ST Act cases
Villupuram
2. The Superintendent of Police
SP Office, Villupuram
Villupuram District
3. The Deputy Superintendent of Police
DSP Office, Villupuram
Villupuram District
4. State by Inspector of Police
Inspector of Police
Anandapuram Police Station
Villupuram District
- 5.The Public Prosecutor,
High Court, Madras.



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K.GOVINDARAJAN THILAKAVADI, J

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