



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2022

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

Crl.O.P.No.27003 of 2022

Chelladurai

...

Petitioner

versus

1.Deputy Superintendent of Police,
Neyveli, Cuddalore District.

2.State Rep. by Sub Inspector of Police,
Neyveli Nagar Police Station,
Neyveli, Cuddalore District.
(Crime No.542 of 2022)

...

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, praying to direct the learned Judicial Magistrate, Neyveli, to consider the bail petition preferred by the petitioner upon his surrender in Crime No.542 of 2022 on the file of the second respondent police on the same day.

For Petitioner : M/s.H.Manojin

For Respondents : Mr.S.Santhosh
Government Advocate (Crl. Side)



ORDER

This Criminal Original Petition has been filed seeking for a direction to the learned Judicial Magistrate, Neyveli, to consider the bail petition preferred by the petitioner upon his surrender and in one and the same day in Crime No.542 of 2022 on the file of the second respondent police.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondents.

3. In view of the specific bar under Section 18 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and also taking into consideration of the possibility of misuse of the stringent provision against innocent persons, there shall be a direction to the learned Judicial Magistrate, Neyveli, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.542 of 2022 on the file of the second respondent police and pass appropriate orders in accordance with law, after affording due opportunity to the victims under Section 15-A of the SC/ST (POA) Act, 1989. The petitioner shall



surrender before the concerned Jurisdictional Court, within a period of fifteen days from the date of receipt of a copy of this order.

4. It is needless to say that the Court below while disposing the bail petition shall look into the gravity of the offence, previous antecedents of the petitioner and pass appropriate orders in accordance with law.

5. In view of the above, this Criminal Original Petition stands allowed.

07.11.2022

Speaking order / Non-speaking order

Index : Yes / No

Internet : Yes

Note : Issue Order Copy by Today i.e. on 09.11.2022

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WEB COPY

Crl.O.P.No.27003 of 2022



R.N.MANJULA, J.

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To

- 1.The Judicial Magistrate, Neyveli.
- 2.Deputy Superintendent of Police,
Neyveli, Cuddalore District.
- 3.State Rep. by Sub Inspector of Police,
Neyveli Nagar Police Station,
Neyveli, Cuddalore District.
4. The Public Prosecutor,
Madras High Court,
Chennai.

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