



CrI.O.P.(MD) No.159 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.01.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.159 of 2024

Moorthy

...Petitioner / Accused No.2

Vs.

1.The Deputy Superintendent of Police,

Kodaikanal Sub – Division,

Kodaikanal, Dindigul District.

2.State, rep by

The Inspector of Police,

Kodaikanal Police Station,

Dindigul District.

(Crime No.367 of 2023

...Respondents 1&2/Complainants

3.Kalishwari

... 3rd Respondent / Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the learned Principal District and Sessions Judge, Dindigul, to accept the surrender of the Petitioner and consider his bail application on the same day on merits in relating to Crime No.367 of 2023 dated 26.12.2023 on the file of the Respondents Police.



Crl.O.P.(MD) No.159 of 2024

For Petitioners : Mr.S.Mahendra Pathy

For Respondents : Mr.M.Veeranthiran
Government Advocate (Crl.side) for R1&2

ORDER

This Criminal Original Petition has been filed to direct the learned Principal District and Sessions Judge, Dindigul, to accept the surrender of the Petitioner and consider his bail application on the same day on merits in relating to Crime No.367 of 2023 dated 26.12.2023 on the file of the Respondent Police.

2. The learned Government Advocate (Crl.Side) submits that the Petitioner and other Accused in this case are alleged to have trespassed into the house of the 3rd Respondent and damaged articles. Also he is alleged to have taken away 4 Sovereigns of gold jewels and also damaged the Electrical items, like TV and other articles belonging to the 3rd Respondent. Therefore, the 3rd Respondent had lodged a complaint. He further submits that there was a property dispute and Accused Nos.1 and 3 in this Case have moved Crl.O.P.(MD)No.55 of 2024, seeking direction, which was ordered by this Court on 04.01.2024. Further, the learned



Crl.O.P.(MD) No.159 of 2024

Government Advocate (Crl.Side) submits that the Petitioner is having 5 previous case, out of which, One is under NDPS Act.

3. Considering the submissions made by the learned counsel for the Petitioner and the learned Government Advocate (Crl.Side), this Criminal Original Petition is disposed of. The Petitioner is directed to surrender before the learned Principal District and Sessions Judge, Dindigul, within 15 days from the date of receipt of a copy of this order or from the date of uploading the copy of this order in the official web-site of this Court.

4. On such surrender by the Petitioner, the learned Principal District and Sessions Judge, Dindigul, shall consider the bail application of the Petitioner and dispose of the same, after issuing notice to the 3rd Respondent / Defacto complainant and after hearing their objections of the victim of the crime, pass appropriate orders as per law.

Internet: Yes./No
Index: Yes/No
NCC : Yes/No
Ls

08.01.2024



Crl.O.P.(MD) No.159 of 2024

SATHI KUMAR SUKUMARA KURUP, J.

WEB COPY

LS

To

- 1.The Principal District and Sessions Judge,
Dindigul,
- 2.The Deputy Superintendent of Police,
Kodaikanal Sub – Division,
Kodaikanal, Dindigul District.
- 3.The Inspector of Police,
Kodaikanal Police Station,
Dindigul District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CRL.O.P (MD) No.159 of 2024

08.01.2024