



Crl.O.P.(MD) No.332 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.01.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.332 of 2024

- 1.Mjakith @ Mijahith
- 2.Shahisha @ Mohamed Shaheer Sha
- 3.Kalithsmail Shheem @ Kalith Alehiya ... Petitioners / A1 to A3

Vs.

- 1.The Deputy Superintendent of Police,
O/o.Deputy Superintendent of Police,
Nagercoil Sub Division, Nagercoil,
Kanniyakumari District.

- 2.The State rep. through
The Inspector of Police,
Aralvoimozhi Police Station,
Kanniyakumari District.

(in Crime No.2 of 2024) ... Respondents 1 & 2/Complainant

- 3.Subash ... 3rd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Additional District Court No.II for P.C.R Act cases, Tirunelveli, to consider the bail application that will be filed by the Petitioners on the same day in Crime No.2 of 2024, on the file of the 1st Respondent Police.



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For petitioners : Mr.A.Mohamed Riyaz

For Respondents : Mr.M.Veeranthiran
Government Advocate (Crl. Side) for R1 & R2

ORDER

This Criminal Original Petition has been filed to direct the learned Additional District Court No.II for P.C.R Act cases, Tirunelveli, to consider the bail application that will be filed by the Petitioners on the same day in Crime No.2 of 2024, on the file of the 1st Respondent Police.

2. The learned Government Advocate (Crl.Side) submits that the Petitioners are alleged to have waylaid the Defacto Complainant and attacked. Due to which, the Defacto complainant was injured, he was treated as “in-patient” for 6 days and thereafter discharged from Hospital. The 2nd Accused/2nd Petitioner has one previous case and the other Accused/ Petitioners 1 & 3 have no previous cases.

3. Considering the submission made of the learned Government Advocate (Crl.Side), this Criminal Original Petition is disposed of. The Petitioners are directed to surrender before the Additional District Court No.II for P.C.R Act cases, Tirunelveli, within 15

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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 Petitioners, the learned Additional District Court No.II for P.C.R Act cases, Tirunelveli, shall consider the bail application of the Petitioners 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

10.01.2024

Index: Yes/No

NCC : Yes/No

Ls

To

1.The Additional District Court No.II

for P.C.R Act cases, Tirunelveli.

2.The Deputy Superintendent of Police,

O/o.Deputy Superintendent of Police,

Nagercoil Sub Division, Nagercoil,

Kanniyakumari District.

3.The Inspector of Police,

Aralvoimozhi Police Station,

Kanniyakumari District.

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SATHI KUMAR SUKUMARA KURUP, J.

LS

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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10.01.2024