



Crl.O.P.(MD) No.2044 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.2044 of 2024

Krishnasamy ... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Sattur, Virudhunagar District.

2.The Inspector of Police
Vembakottai Police Station,
Virudhunagar District.

(Crime No.329 of 2023) ... Respondents 1 & 2 / Complainants

3.Kaleeswaran ... 3rd Respondent / Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the learned District and Sessions Judge (Special Court for PCR cases), Srivilliputhur, to accept the surrender of the Petitioner and consider his bail application on the same day on merit relating to Crime No. 329 of 2023 on the file of the 2nd Respondent.

For Petitioner : M/s.S.Prabha

For R1 and R2 : Mr.M.Veeeranthiran
Government Advocate (Crl.side)



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ORDER

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The learned Counsel for the Petitioner submits that this Criminal Original Petition has been filed to direct the learned District and Sessions Judge (Special Court for PCR cases), Srivilliputhur, to consider the Petitioner's bail application on the same day of surrender in Crime No.329 of 2023 on the file of the 2nd Respondent.

2.The learned Government Advocate (CrI.side), on instructions, would submit that the Petitioner herein sought Tobacco from the third Respondent / defacto Complainant, for which, the defacto complainant stated that he did not have Tobacco. For such reply, the Petitioner and other accused are alleged to have attacked the defacto complainant with iron rod. The defacto complainant suffered injuries in the Hip and bruises on the neck. He was treated in hospital for 7 days and discharged. He used to running Tricycle to carry goods. The Petitioner herein had thrown crackers and damaged the Tricycle of the defacto complainant and also attacked brutally with his hands. The defacto complainant suffered injuries and treated in hospital and discharged. The learned Government Advocate



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(Crl.side), would further submit that the Petitioner is a second year college student and there is no previous case against him.

3. Considering the submissions made by the learned Government Advocate (Crl.side), this Criminal Original Petition is disposed of with the following conditions:-

i) The Petitioner is directed to surrender before the learned District and Sessions Judge (Special Court for PCR cases), Srivilliputhur, 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.

ii) On such surrender by the Petitioner, the learned District and Sessions Judge (Special Court for PCR cases), Srivilliputhur, shall consider the bail application of the Petitioner and dispose of the same as per the provisions of SC/ST (Prevention of Atrocities) Act, 1989, after issuing notice to the victim of crime / defacto complainant and hearing the objections of the victim of the crime.

Internet:Yes./No
Index:Yes/No
LS

09.02.2024



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SATHI KUMAR SUKUMARA KURUP, J.

LS

To

- 1.The District and Sessions Judge
(Special Court for PCR cases)
Srivilliputhur,
- 2.The Deputy Superintendent of Police,
Sattur, Virudhunagar District.
- 3.The Inspector of Police
Vembakottai Police Station,
Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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