



CrI.O.P.(MD) No.2063 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.2063 of 2024

1.Pothiraj

2.Prakash @ Prakashraj

3.Seetha @ Seetharam

... Petitioners

Vs.

1.The Deputy Superintendent of Police,

Maniyachi Division, Thoothukudi District.

2.The Inspector of Police

Kadambur Police Station,

Thoothukudi District.

(Crime No.8 of 2024)

... Respondents 1 & 2 / Complainants

3. Aravinth

... 3rd Respondent / Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the learned Additional Sessions Judge, (Special Court for PCR Cases), Thoothukudi, to consider the bail application of the Petitioners' on the same day of their surrender in Crime No.8 of 2024 on the file of the 2nd Respondent.



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For Petitioners : Mr.T.Lenin Kumar

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

ORDER

The learned Counsel for the Petitioners submits that this Criminal Original Petition has been filed to direct the learned Additional Sessions Judge, (Special Court for PCR Cases), Thoothukudi, to consider the Petitioners' bail application on the same day of surrender in Crime No.8 of 2024 on the file of the 2nd Respondent.

2.The learned Government Advocate (Crl.side), on instructions, would submit that when the third Respondent / defacto Complainant was walking along the road, the Petitioners herein were beating a boy, on noticing the same, the defacto complainant questioned the Petitioners, for which, the Petitioners abused the defacto complainant and also attacked him with wooden log. The defacto complainant suffered injuries and treated as in patient for three days and discharged. The Petitioners have no previous case.



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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 Petitioners are directed to surrender before the learned Additional Sessions Judge, (Special Court for PCR Cases), Thoothukudi, 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 Petitioners, the learned Additional Sessions Judge, (Special Court for PCR Cases), Thoothukudi, shall consider the bail application of the Petitioners 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

09.02.2024

Index: Yes/No

LS

To

1.The Additional Sessions Judge, (Special Court for PCR Cases),
Thoothukudi

2.The Deputy Superintendent of Police,
Maniyachi Division, Thoothukudi District.

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SATHI KUMAR SUKUMARA KURUP, J.

LS

3.The Inspector of Police
Kadambur Police Station,
Thoothukudi District.

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

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