



*Crl.O.P.(MD).No.2242 of 2024*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 14.02.2024

CORAM:

**THE HONOURABLE Mr. JUSTICE SATHI KUMAR SUKUMARA KURUP**

Crl.O.P.(MD).No.2242 of 2024

R.Pandia Rajan

... Petitioner/Accused No.1

Vs.

1.The Deputy Superintendent of Police,  
Bodinayakanur Sub-Division,  
Theni District.

...1<sup>st</sup> Respondent/Nil

2.The Sub Inspector of Police,  
Kombai Police Station,  
Theni District.  
(Crime No.17/2024)

...2<sup>nd</sup> Respondents/Complainant

3.G.Jothiraja

...3<sup>rd</sup> Respondent/De-facto Complainant

**Prayer :** Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned Additional District and Sessions Court for exclusive trial of PCR Act cases, Theni District to consider the Petitioner's bail application on the same date of his surrender in respect of Crime No.17 of 2024 dated 04.02.2024 on the file of the second Respondent.

For Petitioner : Mr.R.Muruga Boopathy

For R-1 and R-2 : Mr.M.Veeranthiran  
Government Advocate  
(Criminal Side)



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### **ORDER**

The learned Counsel for the Petitioner submitted that the Petitioner is arrayed as Accused No.1 in Crime No.17 of 2024 on the file of the second Respondent. He had filed this Criminal Original Petition seeking direction against the learned Additional District and Sessions Judge, Special Court for exclusive trial of PCR Act cases, Theni District, to consider the bail application of the Petitioner on the day of his surrender in Crime No.17 of 2024 dated 04.02.2024, pending before the second Respondent.

2. The learned Government Advocate (Criminal Side) appearing for the Respondents 1 and 2 would submit that the De-facto Complainant is alleged to have purchased a Bolero Car from the Petitioner bearing Reg.No.KL-03, K-7269, for which he paid Rs.51,000/- as advance amount. On verification, the third Respondent found some defects in the RC book of the car. When he enquired about the same, the Petitioner did not give proper reply. Therefore, the De-facto Complainant requested to return his money, which he paid in advance. Instead of repayment, there was a quarrel between them. The Petitioner is alleged to have threatened to kill the De-facto Complainant and abused him in filthy language using caste slur. In this regard, a complaint was preferred by the



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De-facto Complainant against the Petitioner based on which FIR in Crime No. 17 of 2024 dated 04.02.2024 was registered. He further submitted that there was no injury and no previous case pending against the Petitioner.

3. Considering the submissions made by the learned Government Advocate (Criminal Side) and the learned Counsel for the Petitioner, this Court directs the Petitioner to surrender before the learned Additional District and Sessions Judge, Special Court for exclusive trial of PCR Act cases, Theni District, 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 on the official web-site of this Court.

4. On such surrender by the Petitioner and on filing an application for bail, the learned Additional District and Sessions Judge, Special Court for exclusive trial of PCR Act cases, Theni District, shall consider the bail application of the Petitioner, after issuing notice to the victim of crime / De-facto Complainant. After hearing the objections of the victim of the crime, shall pass appropriate orders as per law.



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5. With the above said direction, this Criminal Original Petition is disposed of.

**14.02.2024**

NCC:yes/no  
Index:yes/no  
Internet:yes/no  
Nsr

To

- 1.The Additional District and Sessions Judge,  
Special Court for exclusive trial of PCR Act cases,  
Theni District.
- 2.The Deputy Superintendent of Police,  
Bodinayakanur Sub-Division,  
Theni District.
- 3.The Sub Inspector of Police,  
Kombai Police Station,  
Theni District.
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**SATHI KUMAR SUKUMARA KURUP, J.**

Nsr

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