



CrI.O.P.(MD).No.2995 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 27.02.2024

CORAM:

THE HONOURABLE Mr. JUSTICE SATHI KUMAR SUKUMARA KURUP

CrI.O.P.(MD).No.2995 of 2024

Giftson White

... Petitioner/Accused Rank not known

Vs.

1.The Assistant Commissioner of Police,
A.C-Office, Woraiyur,
Trichy.

2.The Inspector of Police,
Woraiyur Police Station,
Trichy City.
(Crime No.34 of 2024)

...Respondents 1 & 2/Complainants

3.Guruprasanth

...3rd Respondent/De-facto Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the I-Additional District Court (PCR) at Tiruchirapalli, to consider the bail application of the Petitioner on the very same day on merits in Crime No.34 of 2024 dated 27.01.2024 on the file of the second Respondent Police.

For Petitioner : Mr.K.Gunasekara Pandiyan

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



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ORDER

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The learned Counsel for the Petitioner submitted that the Petitioner had filed this Criminal Original Petition had been filed seeking direction against the learned Sessions Judge, I-Additional District Court (PCR) cases, Tiruchirappalli, to consider the bail application of the Petitioner on merits on the day of his surrender in Crime No.34 of 2024 dated 27.01.2024 pending on the file of the second Respondent.

2. The learned Government Advocate (Criminal Side) on instructions of the Respondents 1 and 2 would submit that the Petitioner and other accused along with de-facto Complainant are college students. The de-facto Complainant called his friends as 'bro', for which the other accused are alleged to have attacked the de-facto Complainant with aruval and knife on his head. The de-facto Complainant's friend who came to rescue him also suffered injuries on his hand. Therefore, a case was registered in Crime No.34 of 2024 dated 27.01.2024, based on the complaint of the third Respondent. The de-facto Complainant admitted in the hospital and undergone treatment for 10 days and thereafter he was discharged from the hospital. He also submitted that the Petitioner's name had not been mentioned in the FIR and there was no previous case registered against the Petitioner.



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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 Sessions Judge, I-Additional District Court (PCR) cases, Tiruchirappalli 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 and on filing an application for bail, the learned Sessions Judge, I-Additional District Court (PCR) cases, Tiruchirappalli, shall consider the bail application of the Petitioner, after issuing notice to the victim of crime / De-facto complainant and after hearing the objections of the victim of the crime, and shall pass appropriate orders as per law.

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

27.02.2024

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



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To

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- 1.I-Additional District Court (PCR) cases,
Tiruchirappalli.
- 2.The Assistant Commissioner of Police,
A.C-Office, Woraiyur,
Trichy.
- 3.The Inspector of Police,
Woraiyur Police Station,
Trichy City.
- 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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