



CrI.O.P.(MD) No.3915 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 12.03.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.3915 of 2024

K.Raj Pradesh @ Pradesh

...Petitioner

VS

**1.The Deputy Superintendent of Police,
Madurai District.**

**2.The Inspector of Police
Othakadai Police Station,
Madurai District.
Crime No.80/2024.**

3. Uthiraprakash

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the learned III Additional Sessions Judge Madurai (PCR Court) to consider the bail application to be filed by the Petitioner on the same day in of crime No.80 of 2024 on the file of Inspector of Police Othakadai Police Station which is pending investigation.

For Petitioner	: Ms.R.Vennila
For R1 & R2	: Mr.B.Thanga Aravindh Government Advocate (Crl.side)



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ORDER

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The learned Counsel for the Petitioner submits that the Petitioner had filed this Criminal Original Petition seeking direction against the learned III Additional Sessions Judge Madurai (PCR Court), Madurai, to consider the Petitioner's bail application on the same day of surrender in Crime No.80 of 2024 on the file of the 2nd Respondent.

2. The learned Government Advocate (Crl.side), on instructions of the Respondents 1 and 2, submits that the third Respondent / defacto complainant in this case is an accused in a case under POCSO Act in Crime No.79 of 2024 on the file of the second Respondent Police Station. They had questioned the accused in POCSO case, only to wriggle out of the POCSO case, the accused in POCSO case had preferred the complaint before the second Respondent. Based on which, a case in Crime No.80 of 2024 was registered for the offences under Sections 147, 148, 294(b), 447, 323, 324, 506(i) I.P.C and Sections 3(1)(r) and 3(1)(s) of the SC/ST (Prevention of Atrocities) Act.



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4.Considering the submissions made by the learned Counsel for the Petitioner and 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 III Additional Sessions Judge (PCR Court), Madurai, 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 III Additional Sessions Judge, (PCR Court), Madurai, shall consider the bail application of the Petitioner after issuing notice to the victim of crime/Complainant and hearing the objections of the victim of the crime and shall dispose of the bail application as per law. The discretion either dismissing or granting the bail application is exclusively discretion of the learned III Additional Sessions Judge Madurai (PCR Court), Madurai.

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

12.03.2024



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SATHI KUMAR SUKUMARA KURUP, J.

LS

To

- 1.The III Additional Sessions Judge Madurai
(PCR Court), Madurai.
- 2.The Deputy Superintendent of Police,
Madurai District.
- 3.The Inspector of Police
Othakadai Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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