



CrI.O.P.(MD) No.3876 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.03.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.3876 of 2024

Ashokkumar

...Petitioner

VS

**1.The Deputy Superintendent of Police,
Alangudi, Pudukottai District.**

**2.The Inspector of Police
Malaiyur Police Station,
Pudukottai District.
(Crime No.19/2024)**

3.Balamurugan

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the Special Court for PCR cases, Pudukottai, to consider the bail application on their surrender on the same day if any petition filed by the petitioner in Crime no.19 of 2024, on the file of second Respondent.

For Petitioner	: Mr.M.Navinkumar
For R1 & R2	: Mr.B.Thanga Aravindh Government Advocate (CrI.side)



CrI.O.P.(MD) No.3876 of 2024

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ORDER

The learned Counsel for the Petitioner submits that the Petitioner had filed this Criminal Original Petition seeking direction against the learned Special Judge for PCR cases, Pudukottai, to consider the Petitioner's bail application on the same day of surrender in Crime No.19 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 earlier Petition filed by the first accused was disposed of by this Court in CrI.O.P.(MD)No.2331 of 2024. He further submits that the Petitioner and others are alleged to have attacked the defacto complainant by using wooden log and also scolded him stating his caste name. The defacto complainant/ third Respondent was +2 student, he was injured and admitted in Hospital and underwent treatment for three days. Therefore, he vehemently objects this Petition.

3.Considering the submissions made by the learned Counsel for the Petitioner and the learned Government Advocate (Crl.side), this Criminal



CrI.O.P.(MD) No.3876 of 2024

Original Petition is disposed of with the following conditions:-

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i) The Petitioner is directed to surrender before the Special Court for PCR cases, Pudukottai, 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 Special Judge for PCR cases, Pudukottai, 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 Special Judge for PCR cases, Pudukottai.

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

12.03.2024

To
1.The Special Court for PCR cases,
Pudukottai,

2.The Deputy Superintendent of Police,
Alangudi, Pudukottai District.

3/4



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Crl.O.P.(MD) No.3876 of 2024

SATHI KUMAR SUKUMARA KURUP, J.

LS

3.The Inspector of Police
Malaiyur Police Station,
Pudukottai District.

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

CRL.O.P (MD) No.3876 of 2024

12.03.2024