



Crl.O.P.(MD).No.4044 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 14.03.2024

CORAM:

THE HONOURABLE Mr. JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.(MD).No.4044 of 2024

Dharma @ Dharmaraj

... Petitioner/Accused No.4

Vs.

1.The Deputy Superintendent of Police,
Madurai District. ...1st Respondent/Investigating Officer

2.The Inspector of Police,
Othakadai Police Station,
Madurai District.
(Crime No.80 of 2024) ...2nd Respondent/Complainant

3.Uthiraprakash ...3rd Respondent/De-facto Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 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 of his surrender in Crime No.80 of 2024 on the file of Inspector of Police, Othakadai Police Station which is pending investigation with such terms and conditions imposed by this Court.



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For Petitioner : Mr.S.Vijaykumar

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

ORDER

The learned Counsel for the Petitioner submitted that the Petitioner is arrayed as Accused No.4 in Crime No.80 of 2024 pending on the file of the second Respondent Police. The Petitioner had filed this petition seeking direction against the learned III Additional District and Sessions Judge, (PCR cases), Madurai to consider the bail application of the Petitioner on the day of his surrender in Crime No.80 of 2024.

2. The learned Government Advocate (Criminal Side) appearing for the Respondents 1 and 2 would submit that the Petitioner is alleged to have attacked the de-facto complainant with wooden log and also abused him in a filthy language using caste slur. The de-facto Complainant suffered injuries and was treated as in-patient in the hospital. Further, he would submit that it is the case and counter case. He would further submitted that there is no previous case 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 III Additional District and Sessions Judge, (PCR cases), 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.

4. On such surrender by the Petitioner and on filing an application for bail, the learned III Additional District and Sessions Judge, (PCR cases), Madurai, 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 pass appropriate orders as per law.

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

14.03.2024

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



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- 1.The III Additional District and Sessions Judge, (PCR cases),
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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SATHI KUMAR SUKUMARA KURUP, J.

Nsr

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