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CrI.O.P.(MD) No.4243 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.4243 of 2024

Tharmaraj

...Petitioner

VS

1.The Assistant Commissioner of Police,
Tirunelveli Town, Tirunelveli City.

2.State represented by
The Inspector of Police,
Tirunelveli Junction Police Station,
Tirunelveli District.

3.Suresh

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the learned Additional District and Sessions Court for the Exclusive Trial of PCR Act Cases, Tirunelveli to consider the Petitioner's bail application on the date of his surrender in respect of Cr.No.99 of 2024, dated 10.03.2024 on the file of the Respondent Police,

For Petitioner : Mr.S.Michael Heldon Kumar
For R1 and R2 : Mr.M.Veeranthiran
Government Advocate (crl.side)



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ORDER

The learned Counsel for the Petitioner submitted that the Petitioner is arraigned as A2 in Cr.No.99 of 2024. The Petition had been filed seeking a direction against the learned Additional District and Sessions Judge, PCR Cases, Tirunelveli to accept the surrender of the Petitioner in Cr.No.99 of 2024 pending on the file of the Inspector of Police, Tirunelveli Junction Police Station and to consider the bail application of the Petitioner to be filed on the date of surrender.

2.The learned Government Advocate (CrI.side) on instructions from the Respondent Police submitted that the Petitioner's son is alleged to have knock down the third Respondent/*de-facto* Complainant with his bike. Also he used abusive words against the third Respondent/*de-facto* Complainant. Based upon the complaint of the third Respondent, the Respondent Police has registered the case. Also, the learned Government Advocate (CrI.side) submitted that there is a previous case pending against the Petitioner.

3.Considering the submissions made by the learned Government



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Advocate (Crl.side) and the learned Counsel for the Petitioner, this Court directs the Petitioner to surrender before the learned Additional District and Sessions Judge, PCR Cases, Tirunelveli, 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, PCR Cases, Tirunelveli, 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.

With the aforesaid direction, this ***Criminal Original Petition*** is disposed of.

Internet :Yes/No
Index :Yes/No
NCC :Yes/No

18.03.2024



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cmr

To

1.The Assistant Commissioner of Police,
Tirunelveli Town, Tirunelveli City.

2.The Inspector of Police,
Tirunelveli Junction Police Station,
Tirunelveli District.



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SATHI KUMAR SUKUMARA KURUP, J.

cmr

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