



CrI.O.P.(MD) No.4491 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 21.03.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.4491 of 2024

1. Ramar,

2. Ashwinkumar @ Aswin,

... Petitioners

Vs

1. The Deputy Superintendent Of Police,
Madurai District.

2. State represented by
The Inspector of Police,
Othakadai Police Station,
Madurai District.

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 petitioners on the same day in of Crime No.80/2024 on the file of Inspector of Police, Othakadai Police Station which is pending investigation.



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For Petitioners : Mr.R.Vennila

For R1 & R2 : Mr.M.Veeranthiran
Government Advocate (Crl. side)

ORDER

The learned Counsel for the Petitioners submitted that the Petitioners are arrayed as A1 and A2 in Crime No.80 of 2024 pending on the file of the Inspector of Police, Othakadai Police Station, Madurai District and the Petitioners had filed this Criminal Original Petition seeking direction against the learned III Additional Sessions Judge, Madurai (PCR Court), to accept the surrender of the Petitioners and consider their bail application in Crime No.80 of 2024, pending before the second Respondent.

2. The learned Government Advocate (Criminal Side) appearing for the Respondents 1 and 2 would submit that the Petitioners herein and along with their friends are alleged to have attacked the third Respondent/defacto complainant for posting a photo as the third Respondent standing along with a girl. The Petitioners and their friends are alleged to have objected to the same and attacked the third Respondent with a wooden log on his neck.



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The third Respondent suffered injuries and was treated as in-patient for two days in a Hospital, which attract the provisions of SC/ST (Prevention of Atrocities) Act. Hence, the case was registered in Crime No.80 of 2024 under the provisions of SC/ST (Prevention of Atrocities) Act, based on the complaint of the third Respondent with the second Respondent. Also he submit that it is a case and counter and the co-accused persons in this case were granted similar order in Crl.O.P(MD)Nos.3915, 3991 and 4044 of 2024. There are two previous cases pending against the first Petitioner and no previous case pending against the second Petitioner.

3. Considering the submissions made by the learned Government Advocate (Criminal Side) and the learned Counsel for the Petitioners, this Court directs the Petitioners to surrender before the learned III Additional Sessions Judge, Madurai (PCR Court), 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 Petitioners and on filing an application for bail, the learned III Additional Sessions Judge, Madurai (PCR Court),



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shall consider the bail application of the Petitioners, after issuing notice to the victim of crime/De-facto Complainant and after hearing the objections of the victim of the crime, shall pass appropriate orders as per law.

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

21.03.2024

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

LR

To

1. The III Additional Sessions Judge,
Madurai (PCR Court).
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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LR

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