



CRL OP(MD). No.9555 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 01.07.2024

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THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.9555 of 2024

Ashwinkumar @ Ashwin

... Petitioner

versus

1. The State rep. by
The Deputy Superintendent of Police,
Madurai District.

2. The Inspector of Police,
Othakadai Police Station,
Madurai District.

3. Uthiraprakash

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the III Additional Sessions Judge, Madurai (PCR Court) to consider the bail application to be filed by the petitioners on the same day in Crime No.80 of 2024 on the file of the 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 : M/s.R.Vennila

For R1 and R2 : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)

ORDER

The petitioner is the second accused in Crime No.80 of 2024 on the file of the respondent Police. The said case was registered for the offence punishable under Sections 147, 148, 294(b), 447, 342, 323, 324, 506(i) IPC and Sections 3(1)(r), 3(1)(s) of SC/ST (POA) Act.

2. The petitioner along with the first accused has moved a petition in Crl.O.P.No.4491 of 2024 before this Court, seeking a direction to the learned III Additional Sessions Judge, (PCR Court), Madurai, to consider their bail applications on the same day of their surrender. This Court, by order dated 21.03.2024, disposed of the said petition by granting the relief as prayed for in the petition.



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However, the petitioner has not surrendered before the Court as directed by this Court on 21.03.2024 and filed another application in Crl.M.P.(MD)No.4575 of 2024 seeking extension of time to surrender before the trial Court. This Court, by order dated 26.04.2024, extended the time for a further period of ten days. Even thereafter, the petitioner has not surrendered before the trial Court. Hence, the petitioner is before this Court.

3. The learned counsel appearing for the petitioner submits that due to boycott, the petitioner could not surrender before the trial Court. Therefore, he has filed the present petition.

4. The fact remains that the first accused has surrendered before the trial Court and obtained bail. Considering the conduct of the petitioner, this Court is not inclined to grant any relief as prayed for in this petition.



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5. Accordingly, this Criminal Original Petition is dismissed.

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Index : Yes / No.

Internet : Yes / No.

NCC : Yes / No.

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To

1. The Deputy Superintendent of Police,
Madurai District.
2. The Inspector of Police,
Othakadai Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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Order made in
Crl.O.P.(MD)No.9555 of 2024

01.07.2024