



CRL OP(MD). No.13358 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). Nos.13358 and 13469 of 2021

CRL OP(MD). No.13358 of 2021

1.Sam Thomas

2.Devasahayam

... Petitioner / Accused No.1 & 2

Vs

1.The State Represented by
The Inspector of Police,
Shenkottai Police Station,
Shenkottai,
Tenkasi District.
in Crime No.136 of 2021

... Respondent / Complainant

2.Suseela Devi @ Suseela Devi Paulus
Through her Power of Attorney Mr.S.R.Godfree Sudharsan

...Intervening Petitioner/Defacto Complainant
in CRL MP(MD)No.7288 of 2021



CRL OP(MD). No.13358 of 2021

CRL OP(MD). No.13469 of 2021

V.Mary Ajitha @ Ajithaa

... Petitioner / Accused No.3

Vs

1.The State Represented by
The Inspector of Police,
Shenkottai Police Station,
Shenkottai,Tenkasi District.
in Crime No.136 of 2021

... Respondent / Complainant

2.Suseela Devi @ Suseela Devi Paulus
Through her Power of Attorney Mr.S.R.Godfree Sudharsan

...Intervening Petitioner/Defacto Complainant
in CRL MP(MD)No.7287 of 2021

(in both cases)

For Petitioner : M/s.L.Shaji Chellan
Advocate.

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

For Intervener : Mr.Sylappa Kalyan,Advocate

PETITIONS FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

COMMON PRAYER :-

For Anticipatory Bail in Crime No.136 of 2021 on the file of the Respondent police.



CRL OP(MD). No.13358 of 2021

COMMON ORDER : The Court made the following order :-

The petitioners/ Accused apprehends arrest at the hands of the respondent police for the offences under Sections 406, 420 and 120(b) of IPC in Crime No.136 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. Eventhough it is long pending case before this Court, as well as the Hon'ble Supreme Court, now a development has come by way of filing absconding charge sheet before the learned Judicial Magistrate, Se ngottai in C.C.No.299 of 2023 on 29.08.2023. Eventhough the petitioner has been shows as absconding accused, learned counsel for the petitioner would submitted that in pursuance of the earlier order, the petitioner has appeared before the respondent for about 15 days. But this fact is disputed by the learned counsel for the defacto complainant, stating that for one time the first petitioner appeared and later he did not. Subsequent to the order of the Hon'ble Supereme Court, remitting back the matter to this Court, the matter has been listed for disposal on merits.

3. Learned counsel for the defacto complainant would submit that not even a single pie has been received by her in the transaction.



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4. Summon has been issued. Let the petitioners appear before the concerned Court and execute bond as required under Section 88 of Cr.P.C. There is no question of anticipatory bail. In view of the developments, the defact ocomplainant can work out his remedy before the concerned Court.

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

sd/-
25/09/2023

/ TRUE COPY /

12/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

pnn

TO

1.THE JUDICIAL MAGISTRATE,
SHENKOTTAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI

3.THE INSPECTOR OF POLICE,
SHENKOTTAI POLICE STATION,
SHENKOTTAI,
TENKASI DISTRICT.



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4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+2 CC to M/s.L.SHAJI CHELLAN, Advocate (SRs-14131,14132[I] dated 25/09/2023)

ORDER
IN
CRL OP(MD). Nos.13358 and 13469 of 2021
Date :25/09/2023

RK /DD(13/10/2023) 6P /7C

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