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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.03.2015

CORAM :

THE HONOURABLE MR. JUSTICE C.T.SELVAM

CRL.OP (MD) No.4205 of 2015

D.P.Jesu Kumar

... Petitioner/Defacto
Complainant

Vs.

1.The State of Tamil Nadu,
Rep. by the Inspector of Police,
Sathankulam Police Station,
Thoothukudi District.

..1st Respondent/Complainant

2.Chellaiah Thevar
3.Durai
4.Mani
5.Angappan
6.Arunachalam

... Respondents 2 to 6/Accused 1 to 5

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code to call for the records relating to the order passed in Crl.M.P.No.37 of 2015 on the file of Principal Sessions Judge, Thoothukudi dated 9.1.2015 and to set aside the same in so far as the erroneous finding recorded by the learned Sessions Judge and pass such further or other orders as this Court deems fit and proper in the circumstances of the case.

For Petitioner : Mr.M.P.Senthil

For R1 : Mr.K.V.Rajarajan
Government Advocate(Crl.side)

O R D E R

This petition has been filed under Section 482 Cr.P.C., praying to set aside the order of the learned Principal Sessions Judge, Thoothukudi, in Crl.M.P.No.37 of 2015 in so far as the erroneous finding is concerned.

2.Heard the learned counsel for the petitioner and learned Government Advocate (Crl.side) appearing for the State.

3.This Criminal Original Petition shall stand disposed of with the observation that any observation made by a Court while granting or refusing bail, shall not impinge or be decisive of civil rights of



parties. For that matter, in general findings on merits are to be avoided while passing orders on bail petitions. Even if made, the same would not have any bearing on the proceedings in trial.

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Sd/
Assistant Registrar

/True copy/

sub Assistant Registrar(c.s)

To

- 1)The Principal Sessions Judge,
Thoothukudi.
- 2)The Inspector of Police,

Sathankulam Police Station,Thoothukudi District.

- 3)The Additional Public Prosecutor,
Madurai Bench of Madras High Court,Madurai.

+1cc to M/S. M.P.Senthil, Advocate in SR.No. 12597

TS/31.03.2015/2P-5C

CRL.OP (MD) No. 4205 of 2015

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