



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Nineteenth day of July Two Thousand Sixteen

PRESENT

WEB COPY

The Hon`ble Ms.Justice V.M.VELUMANI

CRL MP (MD) No.3300 of 2016

IN

CRL OP (MD) No.5793 of 2016

N.SHANMUGAVEL

... PETITIONER/DEFACTO COMPLAINANT

Vs

1 K.CHANDRA SEKAR

2 C.PANDIAMMAL

...PETITIONERS/ACCUSED NOS.3 & 4

3 THE SUB INSPECTOR OF POLICE

EAST POLICE STATION, KOVILPATTI,

THOOTHUKUDI DISTRICT.CR.NO.119/2015 ... RESPONDENT/COMPLAINANT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to cancel the order of anticipatory bail granted by this Honourable Court in Crl.O.P.No.5793 of 2016 dated 5.4.2016.

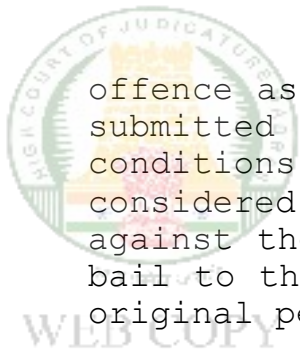
Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S T.ANTONY ARUL RAJ, Advocate for the petitioner and of MR.K.ANBARASAN Government Advocate(Crl.Side) on behalf of the Respondent No.3 the court made the following order:-

This petition has been filed by the petitioner/de-facto complainant to cancel the anticipatory bail granted by this Court to the respondents 1 and 2 / A3 and A4, vide order dated 05.04.2016, in Crl.O.P.(MD)No.5793 of 2016.

2. The respondents 1 and 2 have been charged for the offences punishable under Sections 147, 364, 468, 471 and 506(i) IPC. They filed Crl.O.P.(MD)No.5793 of 2016 for anticipatory bail. This Court, by order dated 05.04.2016 granted anticipatory bail to them with certain conditions.

3. The learned counsel for the petitioner submitted that the respondents 1 and 2 / A3 and A4 suppressed the material fact and falsely alleged that they are innocents and approached this Court.

4. The learned counsel for the respondents 1 and 2 submitted that the respondents 1 and 2 are not suppressed any fact before this Court and they are innocent persons and they have not committed any



offence as alleged by the prosecution. The learned counsel further submitted that the respondents 1 and 2 have not violated the conditions imposed by this Court. Further, this Court has considered all the allegations made by the *de-facto* complainant against the respondents 1 and 2 and then only, granted anticipatory bail to them and therefore, he prayed for dismissal of the criminal original petition.

5. The learned Government Advocate (Criminal side) appearing for the third respondent submitted that the respondents 1 and 2 are complying with the conditions imposed by this Court and are co-operating for the investigation.

6. From the materials available on record, it is seen that it is not the case of the petitioner that the respondents 1 and 2 after being granted anticipatory bail by this Court, violated the conditions imposed by this Court or absconding or tamper with the evidence. In the circumstances, this petition is not maintainable. Hence, the criminal original petition is dismissed.

sd/-

19/07/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, KOVILPATTI
- 2 THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN
- 3 THE SUB INSPECTOR OF POLICE
EAST POLICE STATION, KOVILPATTI, THOOTHUKUDI DISTRICT.
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S T.ANTONY ARUL RAJ Advocate SR.No.38213

ORDER

IN

CRL MP (MD) No.3300 of 2016

IN

CRL OP (MD) No.5793 of 2016

Date : 19/07/2016

AA/KBM/SAR-III/22.07.2016/2p-6c