



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

Monday, the Fourth day of July Two Thousand Sixteen

PRESENT

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

CRL MP (MD) No.374 & 165 of 2016

IN

CRL OP (MD) No.23575 & 24343 of 2015

LOORTHUMARI

... PETITIONER in both cases

Vs

1 DHASS
2 ALEXANDER
3 ANTHONY ADIMAI
4 ARUL
5 BABU @ SEKAR GALDON

6 THE INSPECTOR OF POLICE
PUTHUKADAI POLICE STATION,
KANYAKUMARI DISTRICT.
CRIME NO. 550/2015

... RESPONDENTS IN CRL.MP (MD) NO.374/16

1 VINO
2 JEGAN
3 JOHN BOSCO @ KUTTAN
4 SEBASTIAN

5 THE INSPECTOR OF POLICE
PUTHUKADAI POLICE STATION,
KANYAKUMARI DISTRICT,
CR NO.550/2015.

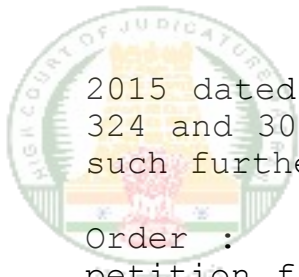
... RESPONDENTS IN CRL.MP (MD) NO.165/16

Prayer in IN CRL.MP (MD) NO.374/16:

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to cancellation of the Anticipatory Bail order granted by this Honourable court to the respondents 1 to 5 in Crl.O.P.No. 23575 of 2015 dated 16.12.2015 for an offences under sections 147, 148, 294 (b), 324 and 307 of Indian Penal Code by allowing this petition and pass such further or other orders as this Honourable Court

Prayer in IN CRL.MP (MD) NO.165/16:

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to cancellation of the Anticipatory Bail order granted by this Honourable Court to the respondents 1 to 4 in Crl. O. P. No.24343 of



2015 dated 16.12.2015 for an offences under sections 147,148,294(B) 324 and 307 of Indian Penal Code by allowing this Petition and pass such further or other orders as this Honourable Court.

Order : These petitions coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S T.RAMASAMY, Advocate for the petitioner in both cases and of MR.K.ANBARASAN Government Advocate(Crl.Side)on behalf of the Respondent No.6 in CRL.MP(MD).No.374/16 / Respondent No.5 in CRL.MP(MD).No.165/16, the court made the following order:-

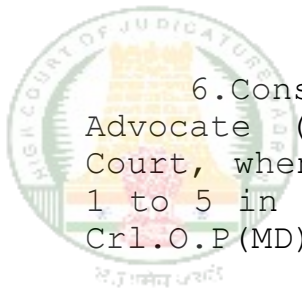
These petitions have been filed by the petitioner to cancel the anticipatory bail granted by this Court to the respondents 1 to 5 in Crl.O.P.(MD)No.23575 of 2015, dated 16.12.2015 and the respondents 1 to 4 in Crl.O.P(MD)No.24343 of 2015, dated 21.12.2015.

2.The respondents 1 to 5 in Crl.O.P(MD)No.23575 of 2015 and the respondents 1 to 4 in Crl.O.P(MD)no.24343 of 2015 were charged for the offences under Sections 147, 148, 294(b), 324 and 307 of IPC in Crime No.550 of 2015. They filed anticipatory bail petitions in Crl.O.P(MD)No.23575 of 2015 and Crl.O.P(MD)No.24343 of 2015. On the date of hearing in Crl.O.P(MD)No.23575 of 2015, the learned Government Advocate (Crl.side) submitted that injured person had already been discharged from the hospital and A6 arrested and remanded to judicial custody. Considering the facts and circumstances of the case and also considering the fact that the injured person had already been discharged from the hospital, this Court granted anticipatory bail to the respondents 1 to 5.

3.The petitioner has come out with the present petitions for cancellation of anticipatory bail granted to the respondents 1 to 5 in Crl.O.P(MD)No.23575 of 2015 and the respondents 1 to 4 in Crl.O.P(MD)no.24343 of 2015, on the ground that on the date of granting of anticipatory bail, the husband of the petitioner/injured person was taking treatment in the hospital. Suppressing the fact, the learned Government Advocate(Crl.side) represented that the injured person had already been discharged from the hospital.

4.Today, when the matters were taken up for hearing, the learned Government Advocate(Crl.side) submitted that on the date of hearing in Crl.O.P.(MD)No.23575 of 2015 the husband of petitioner/injured person left the hospital without informing the Doctors and was absconding and he was also charged for the offences in Cr.No.550 of 2016 on the complaint given by the accused in this petition. In view of the order passed in Crl.O.P(MD)No.23575 of 2015, this Court granted anticipatory bail to the respondents 1 to 4 in Crl.O.P(MD)No.24343 of 2015, dated 21.12.2015.

5.The learned Government Advocate (Crl.side) submitted that husband of the petitioner/injured person without informing anybody left the hospital and was absconding on the date of hearing.



6.Considering the said submission of learned Government Advocate (Crl.side), there was no misrepresentation before this Court, when this Court granted anticipatory bail to the respondents 1 to 5 in Crl.O.P(MD)No.23575 of 2015 and the respondents 1 to 4 in Crl.O.P(MD)No.24343 of 2015. Hence, these petitions are dismissed.

sd/-

04/07/2016

WEB COPY

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,KUZHITHURAI
- 2 THE CHIEF JUDICIAL MAGISTRATE,KANYAKUMARI AT NAGERCOIL
- 3 THE INSPECTOR OF POLICE
PUTHUKADAI POLICE STATION, KANYAKUMARI DISTRICT.
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE OFFICER INCHARGE, TIRUNELVELI TOWN POLICE STATION,
TIRUNELVELI

+1. C.C. to M/S T.RAMASAMY Advocate SR.No.34880

+1cc to Mr.M.R.SREENIVASAN,Advocate Sr.No.34746

ORDER

IN

CRL MP(MD) No.374 & 165 of 2016

IN

CRL OP(MD) No.23575 & 24343 of 2015

Date :04/07/2016

AA/AAL-MPA/SAR-II/12.07.2016/3p-8c