



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:02.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CRL.O.P.(MD)No.10025 of 2017

Velmurugan

... Petitioner

-Vs-

1.State rep. by its
Sub-Inspector of Police,
Nerkkuppai Police Station,
Sivagangai District.
(Crime No.37/2017)

... Respondent/Complainant

2.Sivakumar
3.Subitha
4.Nagaraaj
5.Kavitha

... Respondents/Accused Nos. 1 to 4

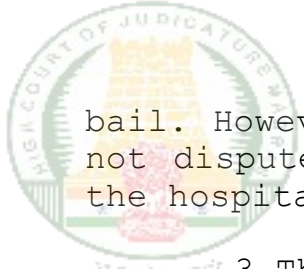
PRAYER: Criminal Original petition filed under Section 439 (2) of Criminal Procedure Code, to cancel the anticipatory bail granted in favour of the second and fifth respondents/ first and fourth accused in Cr.M.P.No.1443 of 2017 dated 19.07.2017 on the file of the District Sessions Court, Sivagangai.

For Petitioner	: Mr.RMS.Sethuraman
For Respondents	: Mr.K.Anbarasan, Government Advocate (Crl.Side) for R1 Mr.A.Vadivel for R2 & R3 No Appearance for R4 & R5

O R D E R

The petitioner/defacto complainant has filed this petition before this Court for cancellation of anticipatory bail granted in favour of the second and fifth respondents/1st and 4th accused.

2.The petitioner's mother and sisters sustained grievous injuries on 07.07.2017 by the accused persons. The petitioner's mother and sisters had admitted in the Head quarters of Government Hospital and continuously had taken treatment. But, without considering the injuries sustained by the petitioner's mother and sisters the learned Sessions Judge granted anticipatory bail on 19.07.2017, to the accused persons. The learned counsel appearing for the petitioner states that by an erroneous consideration the learned Session Judge granted anticipatory bail to the accused persons. Accordingly, he prays for cancellation of the anticipatory



bail. However, the learned counsel appearing for the petitioner did not dispute the fact that the injured persons were discharged from the hospital, at the relevant point of time.

3. The learned counsel appearing for the intervenor would submit that after hearing of the learned public prosecutor and considering the case on merits learned Session Judge has granted anticipatory bail to the respondents. There was no illegal or error in the order passed by the learned Session Judge.

4. Considering the facts and circumstances of the case that the bail was granted on 19.07.2017 and after five months I do not find any merits available in favour of the petitioner. Accordingly, the cancellation of anticipatory bail is dismissed. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The District Sessions Court, Sivagangai.

2. The Sub-Inspector of Police,
Nerkkuppai Police Station,
Sivagangai District.

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

RMK

JS/GT/SAR.2/21.11.2017/2P-4C

CRL.O.P. (MD) No.10025 of 2017
02.11.2017