

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 01.06.2017****CORAM:****THE HONOURABLE Mrs. JUSTICE J.NISHA BANU****CrI.O.P. (MD) .No.21603 of 2016**

M.Natchatram

.. Petitioner/
Defacto complainant

Vs.

1. The State of Tamil Nadu,
rep. by the Inspector of Police,
Asaripallam Police Station,
Kanyakumari District.

.. 1st respondent/
Complainant

2. Arul
3. Soosaiammal
4. Mathan
5. Vimal
6. Anthonysamy
7. Selvam

.. Respondents 2 to 7/
Accused 1 to 6

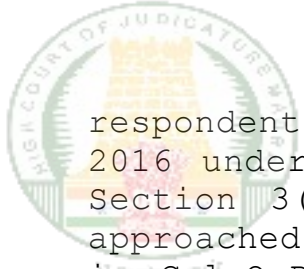
PRAYER: Criminal Original Petition filed under Section 439(2) of Cr.P.C. praying to cancel the anticipatory bail order, dated 23.09.2016, granted to the respondents 2 to 7 in CrI.M.P.No.2944 of 2016, by the Sessions Court, Kanyakumari Division, Nagercoil.

For Petitioner : Mr.A.Joseph Jerry
For respondents : Mr.A.Ramar,
Addl. Public Prosecutor

ORDER

The petitioner / defacto complainant has come up with this petition seeking to cancel the anticipatory bail order, dated 23.09.2016, granted by the Sessions Court, Kanyakumari Division at Nagercoil, in CrI.M.P.No.2944 of 2016 in favour of the respondents 2 to 7 / A1 to A6.

2.It is seen from the record that on 28.04.2016 the respondents 2 to 7 have illegally demolished the compound wall of the defacto complainant and also threatened him. Hence, the petitioner/defacto complainant gave a complaint before the first



respondent Police and the same was registered in Crime No.190 of 2016 under Sections 147, 148, 294(b), 427, 447, 506(ii) IPC and Section 3(1) of TNPPDL Act. When the respondents 2 to 7 had approached this Court seeking for enlargement of anticipatory bail in CrI.O.P.(MD).No.11984 of 2016, they had stated that they are willing to construct the compound wall and requested one week time for complying with the same. But, subsequently, they withdrew the said petition. Suppressing the assurance given before this Court, the respondents 2 to 7 filed a petition before the Sessions Court in CrI.M.P.No.2944 of 2016 seeking for enlargement of anticipatory bail and the Sessions Court has also granted anticipatory bail to the respondents 2 to 7, without knowing the said fact. Hence, the petitioner has come up with this petition to cancel the anticipatory bail order granted by the Sessions Court in CrI.M.P.No.2944 of 2016.

3. When the matter came up for hearing today, it is represented by the learned counsel appearing for both sides that the compound wall has been constructed and that they have entered into a compromise and hence, this petition may be closed.

4. Recording the same, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
Asaripallam Police Station,
Kanyakumari District.

2. The Addl. Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

3. The Sessions Judge, Kanyakumari Division,
Nagercoil.

+1 CC to M/s.S.XAVIER RAJINI, Advocate, SR No. 23015

GCG

PSM/MR/SAR4/08.06.2017/2P/5C

CrI.O.P(MD)No.21603 of 2016
01.06.2017