



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

Thursday, the Twentieth day of December Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) Nos.21787 & 21794 of 2018

RASU

... PETITIONER / ACCUSED NO.2
IN CRL OP(MD)NO.21787/2018

JEEVAMANI

...PETITIONER/ACCUSED NO.1
IN CRL OP(MD)NO.21794/2018

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
RAYAPPANPATTI POLICE STATION,
THENI DISTRICT.
(CRIME .NO.263/2018)

... RESPONDENT / COMPLAINANT
IN BOTH PETITIONS

For Petitioner : Mr.R.SHANKAR GANESH Advocate
(IN BOTH PETITIONS)

For Respondent : Mr.K.SUYAMBULINGA BHARATHI Govt. Advocate
(Crl. Side) (IN BOTH PETITIONS)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

Today, when the matter taken up for hearing the learned counsel for the petitioners seeks permission of this Court to withdraw these petitions with liberty to approach the trial Court for bail under section 167(2) Cr.P.C.

2.In view of the same, these criminal original petitions are dismissed as withdrawn. The petitioners' right under Section 167(2) must not be denied on the ground that they have already approached this Court under Section 439 of Cr.P.C.

3.This Court makes it clear that the right of the petitioners



is a indefeasible right. As and when it accrues to them, he cannot be denied such a right. The petitioners' petition has to be considered on merits if he approached with such a petition.

sd/-

20/12/2018

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/ TRUE COPY /

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

TO

1 THE INSPECTOR OF POLICE,
RAYAPPANPATTI POLICE STATION,
THENI DISTRICT.

2 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+2. CC to Mr.R.SHANKAR GANESH Advocate SR.No.23739,23740

PS/VR/SAR-1/27.12.2018/2P/6C

ORDER

IN

CRL OP(MD) No.21787 of 2018

Date :20/12/2018