



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

Saturday, the Twenty Seventh day of April Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL MP (MD) No.3583 of 2019

IN

CRL OP (MD) No.5073 of 2019

KAYALVIZHI,

... PETITIONER/ 3rd PARTY

Vs

1 THE INSPECTOR OF POLICE
KEERANUR POLICE STATION, PUDUKKOTTAI
DISTRICT (CR.NO.39/2019)

...1st RESPONDENT/COMPLAINANT

2 VINODH
3 ANIL @ RENGARAJ,
4 KUNDULU @ SELVAM,
5 CHELLAMUTHU,
6 SARAVANAN
7 AYYASAMY,
8 MATHI @ MATHIYAZHAGAN

... RESPONDENTS NO.2 TO 8
PETITIONERS 1 TO 7

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to cancel the bail in Crl.OP(MD)No.5073 of 2019 dated 03.04.2019 granted in favour of the respondents 2 to 8/ petitioners 1 to 7 by this Honourable Court.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.RMS.SETHURAMAN for Mr.K.BAALASUNDHARAM, Advocate for the petitioner and of Mr.S.CHANDRASEKAR, Additional Public Prosecutor for R1 and Mr.MADHAVAN, Advocate for R2 to R8, the court made the following order:-

This petition has been filed by one Kayalvizhi, who is the wife of the deceased viz., Muthu, to cancel the bail granted to the respondents 2 to 8/petitioners in Crl.O.P.(MD)No.5073 of 2019, dated 03.04.2019.

2.This Court granted bail to the respondents 2 to 8 herein on condition that they should report before the first respondent police daily at 10.30 a.m. and 5.30 p.m. until further orders.



3.The learned counsel for the petitioner would submit that the main accused is yet to be arrested and the other accused are signing before the first respondent police daily and the respondents 2 to 8 are suppressing the real facts about the whereabouts of the main accused, hence, he has filed the petition for cancellation of anticipatory bail.

4.The learned Government Advocate (Crl. side) would submit that the offence committed by the respondents 2 to 8 is heinous in nature and that the main accused is yet to be arrested. He further submitted that the respondents 2 to 8 are regularly obeying the conditions imposed by this Court.

5.However, the learned counsel appearing for the petitioner submitted that there is no violation in the bail condition imposed by this Court, since tension is prevailing in the locality, this Court may direct the respondents 2 to 8 to appear before any other Police Station, situated at a far away place.

6.Considering the facts and circumstances of the case, once the bail is granted by this Court, it cannot be cancelled in a mechanical manner, unless there exist overwhelming circumstances for cancellation of bail. In the present case, the petitioner did not establish any such overwhelming circumstance for cancellation of bail. Hence, I am not inclined to cancel the bail. However, respondents 2 to 8 are directed to appear before the Inspector of Police, Tirunelveli Town Police Station, daily at 10.30 a.m. and 05.30 p.m. until further orders.

sd/-
27/04/2019

/ TRUE COPY /

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

TO

1.THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, KEERANUR.

2.THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.

3.THE INSPECTOR OF POLICE,
KEERANUR POLICE STATION,
PUDUKKOTTAI DISTRICT.

<https://hcservices.ecourts.gov.in/hcservices/>
4 THE INSPECTOR OF POLICE,
TIRUNELVELI TOWN POLICE STATION,



TIRUNELVELI.

5. THE OFFICER INCHARGE,
DISTRICT PRISON, PUDUKKOTTAI.

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

+1. C.C. to Mr.K.BAALASUNDHARAM Advocate SR.No.7584

PS/PN/SAR-1/03.05.2019/3P/8C

ORDER

IN

CRL MP (MD) No.3583 of 2019

IN

CRL OP (MD) No.5073 of 2019

Date :27/04/2019