



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

Date : 21/02/2020

WEB COPY

PRESENT

The Hon'ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) . No.3102 of 2020

MUNIYASAMY @ SURESH

... PETITIONER/A-1

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
OTTAPIDARAM POLICE STATION,
THOOTHUKUDI DISTRICT.
(CRIME NO.64 OF 2019).

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.A.K.Manickam,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

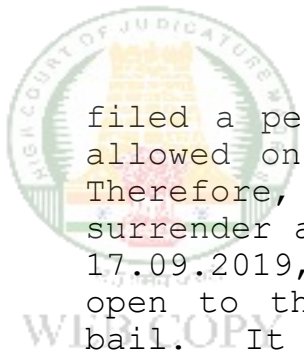
for Anticipatory Bail in Crime No.64 of 2019 on the file of the respondent police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 294(b), 323, 324 and 506(ii) of I.P.C., in Crime No.64 of 2019 on the file of the respondent police, seeks anticipatory bail.

3.The petitioner was granted anticipatory bail by the Sessions Court, vide order dated 07.06.2019 in Cr.M.P.No.2261 of 2019. Since the respondent police did not comply with the conditions, the prosecution



filed a petition for cancellation. The cancellation petition was allowed on 17.09.2019 by the learned Sessions Judge, Thoothukudi. Therefore, the only course open to the petitioner is either to surrender and apply for regular bail or to challenge the order dated 17.09.2019, by which, the earlier order was cancelled. It is not open to the petitioner to file a fresh petition for Anticipatory bail. It is, on the very face of it, not maintainable. Leaving open the petitioner's right, this criminal original petition stands dismissed.

sd/-
21/02/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE SESSIONS JUDGE,
THOOTHUKUDI.
- 2 THE INSPECTOR OF POLICE
OTTAPIDARAM POLICE STATION,
THOOTHUKUDI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.3102 of 2020
Date :21/02/2020

RMI
JM/VR/SAR 2/03.03.2020/2P/4C