



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

Friday, the Tenth day of July Two Thousand Twenty

PRESENT

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

CRL MP(MD) No.3332 of 2020
IN
CRL OP(MD) No.5851 of 2020

MATHEEN

... PETITIONER/DEFACTO COMPLAINANT

Vs

1 PRABHAKARAN

... RESPONDENT NO.1/ PETITIONER

2 STATE REP. BY
THE INSPECTOR OF POLICE,
THATTARMADAM POLICE STATION,
THOOTHUKUDI DISTRICT
CRIME NO.38/2020

... RESPONDENT NO.2/ RESPONDENT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to cancel the Bail Order granting to the Respondent no.1 in Crl.O.P. (MD) No.5851 of 2020 dated 10/06/2020.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.S.M.A.JINNAH, Advocate for the petitioner and of PUBLIC PROSECUTOR for R2, the court made the following order:-

This petition has been filed by the de-facto complainant in Crime No.38 of 2020 registered on the file of the Thattarmadam Police Station. The de-facto complainant wants this Court to cancel the bail granted by this Court, on 10.06.2020 in Crl.O.P.(MD). No.5851 of 2020.

2.The argument of the de-facto complainant's counsel is that after coming out on bail, the accused had once again attacked the de-facto complainant leading to registration of yet another case.

3.It is seen that the accused was arrested in Crime No.38 of 2020 on 05.03.2020, but he was granted bail only on 10.06.2020. Till date, charge sheet has not been filed. So even though I have not specifically mentioned, that is virtually a compulsive bail. Therefore, the question of cancellation of such a bail does not



4.The learned Government Advocate(Crl.side) appearing for the respondent police points out that the accused viz., Prabhakaran, had been arrested in a subsequent criminal case.

5.In view of his arrest for a subsequent case and taking note of the fact that only compulsive bail was granted, I am not inclined to allow this petition. Hence, this Crl.MP(MD).No.3332 of 2020 is dismissed.

sd/-
10/07/2020

/ TRUE COPY /

/ /2020

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

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE JUDICIAL MAGISTRATE, SATHANKULAM.
2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
3. THE INSPECTOR OF POLICE,
THATTARMADAM POLICE STATION,
THATTARMADAM, THOOTHUKUDI DISTRICT.
4. THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI .
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL MP(MD) No.3332 of 2020
IN
CRL OP(MD) No.5851 of 2020
Date :10/07/2020

ns
JM/JC/SAR 2/17.07.2020/2P/6C