



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

Date : 29.09.2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI
CRL OP(MD)No.10626 of 2020

WEB COPY

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... Petitioner / 3rd Party /
Defacto Complainant

Vs

1.Ugin Mariya Stalin

... 1st Respondent / Petitioner
/ Sole Accused

2.The Inspector of Police,
Asaripallam Police Station,
Kanyakumari District.
(In Cr.No.215 of 2020)

... 2nd Respondent / Respondent
/ Complainant

For Petitioner : Mr.A.Balakrishnan

For Respondents : Ms.Kalaiyarasi Bharathi

for R.1

Mr.T.Senthilkumar,

Additional Public Prosecutor

for R.2

PETITION Under Sec.439(2) of Cr.P.C

PRAYER :-

For Cancellation of Bail in Crime No.215 of 2020 on the file
of the respondent Police.

ORDER : The Court made the following order :

This criminal original petition is filed by the petitioner to
cancel the bail granted to the first respondent / accused by the
learned Principal Sessions Judge, Nagercoil, in Cr.M.P.No.3434 of
2020, dated 04.09.2020.

2.Learned Counsel for the petitioner submitted that the first
respondent, who is an accused in Crime No.215 of 2020, obtained an
order of bail from the Sessions Court and misused the liberty
granted to him by indulging in further offences in the months of
March 2021 and April 2021. In this regard, two separate cases have
been filed against the first respondent in Crime Nos.84 and
149 of 2021, respectively. Therefore, the learned Counsel prayed for
appropriate orders.



3. Though the petitioner is claiming that the first respondent / accused has misused the liberty and indulged in further offences, it appears that this application was filed in the month of September, 2020, whereas, the alleged subsequent incidents were said to have taken place in the months of March and April, 2021. Without any cause of action, this application appears to have been filed and in fact, it appears that the subsequent complaints have been preferred only to strengthen this application.

4. In such view of the matter, this Court is not inclined to cancel the bail granted to the first respondent / accused and this application is accordingly, dismissed.

sd/-
29/09/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

gk

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 PRINCIPAL SESSIONS JUDGE,
NAGERCOIL.
2. THE INSPECTOR OF POLICE,
ASARIPALLAM POLICE STATION, KANNYAKUMARI DT
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN
CRL OP(MD) No.10626 of 2020
Date : 29/09/2021

SB/JC/SAR-III/06.10.2021/2P/4C