



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

Thursday, the Twenty Sixth day of August Two Thousand and Twenty One

WEB COPY

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL MP(MD) No.6171 of 2021
IN
CRL OP(MD) No.10303 of 2021

MARI @ MARISELVAM

... PETITIONER/ACCUSED

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
EAST POLICE STATION, SIVAKASI,
VIRUDHUNAGAR DISTRICT.
CR.NO. 287 OF 2021.

... RESPONDENT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to amend the cause title as The Inspector of Police, Town Police Station, Sivakasi, Virudhunagar district (Cr.No.287/2021) instead of The Inspector of Police, East Police Station, Sivakasi, Virudhunagar District. (Crime.No.287/2021) in the petition

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.N.MOHIDEEN BASHA, Advocate for the petitioner and of Mr.P.KOTTAI CHAMY, Government Advocate(crl.side) on behalf of the Respondent, the Court made the following order:-

The petitioner is apprehending arrest at the hands of the Inspector of Police, Town Police Station, Sivakasi, Virudhunagar, in connection with the case in Crime No.287 of 2021. Therefore, he has moved the application in Crl.OP(MD)No.10303 of 2021 for anticipatory bail and this Court by order dated 04.08.2021 has granted anticipatory bail to the petitioner.

2. Now, he has filed the present miscellaneous petition to amend the cause title as 'Inspector of Police, **Town Police Station**, Sivakasi, Virudhunagar District (Cr.No.287 of 2021)', instead of 'Inspector of Police, **East Police Station**, Sivakasi, Virudhunagar District (Cr.No.287 of 2021)', stating that by inadvertence, the respondent police was wrongly shown.



3. This Court is not inclined to condone such type of mistake. In a bail / anticipatory bail application, the most important thing is the name of the police, which has arrested or intends to arrest the petitioner(s). If the respondent police itself is wrongly shown, this Court fails to understand as to how instruction could have been obtained from the concerned police on the main application itself. Therefore, this Court is not inclined to entertain this application and the same is accordingly, dismissed. It is open to the petitioner to file a fresh application for anticipatory bail, by showing the correct cause title of the respondent police.

sd/-

26/08/2021

/ TRUE COPY /

/ /2021

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-I
SIVAGASI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE
EAST POLICE STATION, SIVAKASI,
VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL MP(MD) No.6171 of 2021

IN

CRL OP(MD) No.10303 of 2021

Date :26/08/2021

gk

SS/VR/SAR-III/08.09.2021 : 2P/5C