



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 30/11/2021

PRESENT

WEB COPY

The Hon`ble Mr.Justice K.MURALI SHANKAR
CRL OP(MD) . Nos.17310 and 17312 of 2021

Crl.O.P. (MD)No.17310 of 2021:

P.Sivasankaranpillai

... Petitioner/Defacto Complainant

Vs

1. Duraisamy
2. Loganathan
3. Deepan
4. Muthukannan
5. Ganeshan
6. Puthiyamuthu
7. V.Sangilinayhan (Sangili)
8. Santhanam
9. Selvaraj

... RESPONDENTS No.1 TO 9/
PETITIONERS No.1 TO 9

10. The State represented by
The Inspector of Police,
Mamsapuram Police Station,
Virudhunagar District.
Cr.No.170/2021.

... 10th Respondent/Complainant

Crl.O.P. (MD)No.17312 of 2021:

P.Sivasankaranpillai

... Petitioner/Defacto Complainant

Vs

1. P.Ranaveeran
2. G.Vairamuthu
3. N.Sathish
4. V.Chidambaraselvam

... RESPONDENTS 1 TO 4/
RESPONDENTS No.2,3,5 & 6

5. The State represented by
The Inspector of Police,
Mamsapuram Police Station,
Virudhunagar District.
Cr.No.170 of 2021.

... 5th Respondent/Complainant



For Petitioner : M/s.Antony Arulraj.T, Advocate.
(in both the cases)

For 10th Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)
(in CRL OP(MD) No.17310 OF 2021)

For 5th Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)
(in CRL OP(MD) No.17312 OF 2021)

PETITIONS FOR CANCELLATION OF ANTICIPATORY BAIL Under Sec.439(2) of Cr.P.C

PRAYER IN CRL.O.P. (MD)NO.17310 OF 2021:-

To cancel the Anticipatory Bail of the Accused / Respondents No.1 to 9 on the file of Cr.No.170 of 2021 by respondent police and set aside the order passed in Crl.M.P.No.2055/2021 on the file of Principal District and Sessions Judge, Virudhunagar District.

PRAYER IN CRL.O.P. (MD)NO.17312 OF 2021:-

To cancel the Anticipatory Bail of the Accused / Respondent Nos.1 to 4 on the file of Cr.No.170 of 2021 by respondent police and set aside the order passed in Crl.M.P.No.1983/2021 on the file of Principal District and Sessions Judge, Virudhunagar District.

COMMON ORDER : The Court made the following order :-

Crl.O.P.(MD)No.17130 of 2021 has been filed seeking to cancel the Anticipatory Bail of the Accused / Respondents No.1 to 9 granted in Crl.M.P.No.2055/2021, by the learned Principal District and Sessions Judge, Virudhunagar District, in connection with Cr.No.170 of 2021 on the file of the respondent police.

2. Crl.O.P.(MD)No.17132 of 2021 has been filed seeking to cancel the Anticipatory Bail of the Accused / Respondents No.1 to 4 granted in Crl.M.P.No.1983/2021, by the learned Principal District and Sessions Judge, Virudhunagar District, in connection with Cr.No.170 of 2021 on the file of the respondent police.

3. When the matter was taken up on 09.11.2021, the learned Additional Public Prosecutor appearing for the State submitted that the defacto complainant has given a letter to the respondent police that he has withdrawn his complaint and that he has also received the RCS notice.

4. The learned Counsel for the petitioner submitted that the defacto complainant has not given any such letter, that when he had appeared before the respondent police for enquiry, they have taken



signature and left thumb impression forcibly, that only after hearing the representation of the learned Additional Public Prosecutor on 09.11.2021, he came to know that the closure report was filed before the jurisdictional Magistrate Court and that on verification, the closure report is pending before the Court and hence, the defacto complainant has already filed protest petition and the same was taken on file in Cr.M.P.No.3755 of 2021. He would submit that the present petitions may be closed, giving liberty to the defacto complainant to raise all the contentions in the protest petition.

5. Recording the above submissions made by the learned Counsel for the petitioner, both the Criminal Original Petitions are closed.

sd/-

30/11/2021

/ 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 PRINCIPAL DISTRICT AND SESSIONS JUDGE,
VIRUDHUNAGAR DISTRICT.
- 2 THE INSPECTOR OF POLICE,
MAMSAPURAM POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.ANTONY ARULRAJ T Advocate SR.No.36956

ORDER

IN

CRL OP(MD) No.17310

& 17312 of 2021

Date :30/11/2021

SSL

SS/JM/SAR-II/07.12.2021 : 3P/5C