



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

Wednesday, the Thirtieth day of March Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL MP(MD) No.2647 of 2022

IN

CRL OP(MD)No.11642 of 2020

THE INSPECTOR OF POLICE
AYYAMPETTAI POLICE STATION,
THANJAVUR DISTRICT.
(CRIME NO.1191/2020) .

... PETITIONER/RESPONDENT

Vs

AKASH

... RESPONDENT/ACCUSED No.12

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to accept the affidavit and cancel the bail granted in Crl.OP(MD) No.11679/2020 dated 28/10/2020, in connection with Crime No.1191/2020 on the file of the petitioner police station.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.R.M.ANBUNITHI, Additional Public Prosecutor on behalf of the Petitioner and of Mr.R.ILAYARAJA, Advocate for the Respondent, the court made the following order:-

This petition has been filed to accept the affidavit and cancel the bail granted in Crl.O.P(MD) No.11642 of 2020 dated 28.10.2020 in connection with Crime No.1191 of 2020 on the file of the petitioner police station.

2. The case of the prosecution is that there was enmity between one Rajesh Kanna and one Suresh and frequently both the parties attacked each others and in connection with the same number of cases has been registered against both the parties. While being so, on 07.08.2020 when the defacto complainant and her husband namely the deceased came by the two wheeler, one Manikandan and Rakesh also came by two wheeler and dashed against the deceased. When it was questioned by him there arose a quarrel between them. Further in continuation to the said dispute all the accused persons came with



deadly weapons and attacked the deceased, therefore he sustained injuries and died. In pursuance to the same, the petitioner registered a case in Crime No.1191 of 2020 for the offences under Sections 341, 147, 148, 149, 294(b), 324, 307, 302 of IPC, in which the respondent is arrayed as A12. After that he was arrested and then he was released on bail vide order dated 28.10.2020 in Crl.O.P(MD) No.11642 of 2020. While granting bail, this Court has directed the petitioner to stay at Ariyaluar and report before the Ariyalur Police Station daily at 10.00 a.m., and 5.00 pm., until further orders. The petitioner has complied with the said condition and subsequently the said condition was relaxed by this Court. However the petitioner involved in another offence and the same has been registered in Crime No.1002 of 2021 for the offences under Sections 294(b), 386, 506(ii) of IPC.

3. The learned Additional Public Prosecutor appearing for the petitioner would submit that the murder case is under investigation. The respondent again involved in another case and he is a history sheeted rowdy with H.S No.601 of 2020. He would further submit that in both the cases the petitioner completed investigation and also filed final report before the concerned Court and the same has been taken cognizance in S.C.No.200 of 2021 pending on the file of the PCR Court, Thanjavur and STC No.02 of 2021 pending on the file of the Judicial Magistrate Court, Thanjavur respectively.

4. Admittedly the petitioner the complied with the conditions imposed by this Court while granting bail. The only point for cancellation of bail raised by the learned Additional Public Prosecutor is that the respondent involved in another case while the investigation is pending in Crime No.1191 of 2020. Now in both the case the petitioner has completed investigation and also filed final report before the concerned Court and the same has been taken cognizance by the trial Court.

5. Considering the above, this Court is not inclined to cancel the bail granted to the petitioner, hence the petition stand dismissed. However the respondent shall appear before the trial Court in S.C.No.200 of 2021 pending on the file of the PCR Court, Thanjavur daily at 10.30 a.m., for a period of 30 days from the date of receipt of a copy of this order.

sd/-
30/03/2022

/ TRUE COPY

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

- 1 THE JUDICIAL MAGISTRATE NO.III
THANJAVUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
AYYAMPETTAI POLICE STATION,
THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO:

- 1 THE JUDGE
PCR COURT,
THANJAVUR
- 2 THE INSPECTOR OF POLICE
ARIYALUR POLICE STATION,
ARIYALUR.

+1 cc to Mr.R.ILAYARAJA, Advocate, SR.No.2727

ORDER

IN

CRL MP (MD) No.2647 of 2022
IN
CRL OP (MD) No.11642 of 2020
Date :30/03/2022

SA/SVR/SAR.2/01.04.2022/3P/8C