



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

Thursday, the Fourth day of August Two Thousand and Twenty Two  
PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL MP(MD) No.2657 of 2021  
IN  
CRL OP(MD) No.1642 of 2021

SUDALAIMUTHU

... PETITIONER / DEFECTO COMPLAINANT

Vs

1 LAKSHMI LINGAM

... 1ST PETITIONER / ACCUSED NO.1

2 THE STATE REP.BY,  
THE INSPECTOR OF POLICE  
SEITHUNGANALLUR POLICE STATION,  
THOOTHUKUDI DISTRICT.  
CRIME NO.599 OF 2020.

... 2ND RESPONDENT / COMPLAINANT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to cancel the Bail granted in favour of the 1st Respondent/Accused No.1 in Crl.OP.(MD).No.1642 of 2021 dated 5.2.2021 and commit him to custody.

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.V.M.JEGADEESHAPANDIAN, Advocate for the petitioner and of MR.B.NAMBI SELVAN, Additional Public Prosecutor on behalf of the 2<sup>nd</sup> Respondent, the court made the following order:-

The petitioner/de-facto complainant lodged a complaint against the first respondent/A1 and five others in Crime No.599 of 2020 for the offences under Sections 147, 148, 294(b), 323 and 307 of I.P.C. on 27.12.2020. The first respondent/A1 filed an application for bail before this Court in Crl.O.P.(MD)No.1642 of 2021. This Court, vide order dated 05.02.2021, granted bail to him with certain conditions. Now, the present petition is filed seeking to cancel the bail granted in favour of the first respondent/A1 for the reason that the petitioner is being continuously threatened by the first respondent/A1 to come for a compromise and withdraw the cases.

2.On 02.03.2021 the daughter of the petitioner gave a complaint before the second respondent Police, based on which, on 07.03.2021 a case in Crime No.60 of 2021 for the offences under Sections 294(b), 506(ii) I.P.C., and Section 4 of Tamil Nadu Prohibition



of Harassment of Women Act, 2002 and Section 66(A) of Information Technology Act, 2000 was registered against the first respondent/A1. Since the first respondent/A1 violated the bail conditions, causing threat to the petitioner's family members, the petitioner/de-facto complainant sought for cancellation of bail.

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3.Mr.B.Nambi Selvan, learned Additional Public Prosecutor appearing for the second respondent submits that after completion of investigation in Crime No.599 of 2020, final report against the first respondent/A1 and 5 others has been filed before the Judicial Magistrate Court, Srivaikundam, and the same was taken on file in P.R.C.No.18 of 2021 and thereafter, it was committed to the Court of Sessions, Thoothukudi, and taken on file in S.C.No.205 of 2021 and thereafter, the same was made over to the Sub Court, Thiruchendur. There are totally 6 accused in the case and summon was served on the second accused and as regards the other accused, steps have been taken to serve summons on them. The next hearing date is 08.09.2022 and by then, summons to all the accused would be served. Further, the prosecution shall produce the witnesses on the date assigned without any delay and there will not be any delay on the side of the prosecution. The learned Additional Public Prosecutor further submits that the case in Crime No.60 of 2021 has been closed as 'mistake of fact' and Referred Charge Sheet No.6540 of 2022 was filed before the Judicial Magistrate Court, Srivaikundam, on 15.03.2021. R.C.S. Notice has also been served on the de-facto complainant.

4.At this juncture, the learned counsel for the petitioner submits that the trial Court may be directed to conclude the trial within a stipulated time to be fixed by this Court, since at the stage of summons, this case has been kept pending for almost a year.

5.Considering the rival submissions and on perusal of the materials, this Court finds no merits to consider this petition for cancellation of bail. Hence, this Criminal Miscellaneous Petition is dismissed. However, the learned Sub Judge, Tiruchendur, shall ensure that summons are served and give priority to this case and conclude the trial to its logical end, within a period of four months from 08.09.2022. Since there are only 16 witnesses to be examined, this Court places confidence on the trial Court to complete the trial within the stipulated time without asking for further extension of time.

sd/-

04/08/2022

/ TRUE COPY /

10/08/2022

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



TO

1 THE JUDICIAL MAGISTRATE,  
SRIVAİKUNDAM, THOOTHUKUDI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE  
THOOTHUKUDI DISTRICT.

3 THE INSPECTOR OF POLICE  
SEITHUNGANALLUR POLICE STATION,  
THOOTHUKUDI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

1 THE SUBORDINATE JUDGE,  
TIRUCHENDUR.

2 THE SESSIONS JUDGE, THOOTHUKUDI.

3 THE REGISTRAR (JUDICIAL),  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

4 THE OFFICER INCHARGE,  
SUB JAIL,  
KOVILPATTI, THOOTHUKUDI.

ORDER  
IN  
CRL MP (MD) No.2657 of 2021  
IN  
CRL OP (MD) No.1642 of 2021  
Date :04/08/2022

MK/PN/SAR.IV/10.08.2022/3P/9C