



CrI.O.P(MD)No.19356 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 30.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

CrI.O.P(MD)No.19356 of 2022

Prakash @ Nageswaran

**... Petitioner/De-facto Complainant/
De-facto Complainant**

Vs

**1.Selvaraj
2.Udayakumar
3.Sureshmani
4.Rajkumar**

**... Respondents 1 to 4/Petitioners/
A1 to A4**

**5.State Rep. by
The Inspector of Police,
Eriodu Police Station,
Dindigul District.
Crime No.164 of 2022**

...5th Respondent/5th Respondent/Complainant

PRAYER: Petition filed under Section 439(2) r/w 482 of Cr.P.C., to set aside the order and cancel the order against the respondents 1 to 4/A1 to A4 granted in CrI.M.P.No.2384 of 2022, dated 03.08.2022 before the Principal Sessions Judge, Dindigul.

For Petitioners : Mr.M.Ganangurunathan

For R1 to R4 : Mr.Sarvagan Prabhu

**For R5 : Mr.M.Vaikkam Karunanithi
Government Advocate(CrI.Side)**



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ORDER

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This Criminal Original Petition has been filed to set aside the order and cancel the order against the respondents 1 to 4/A1 to A4 granted in Crl.M.P.No.2384 of 2022, dated 03.08.2022 before the Principal Sessions Judge, Dindigul.

2.On an earlier occasion, the learned Principal Sessions Judge, Dindigul, granted bail to the accused persons, for the alleged offences punishable under Sections 294(b), 323 and 506(i) of IPC in Crime No.164 of 2022, on the file of the fifth respondent police.

3.The learned counsel for the petitioner/de-facto complainant submitted that on 03.08.2022, the learned Principal Sessions Judge, Dindigul has granted bail to the respondents 1 to 4/A1 to A4 directing the petitioners to appear before the respondent police daily at 06.00 p.m until further orders. But the respondents 1 to 4 have not complied the above said conditions. But, however, the respondent police have not taken any steps to arrest the respondents 1 to 4. Hence, he seeks for cancellation of bail.



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4.The learned counsel for the respondents 1 to 4 as well as the learned Government Advocate (Crl. side) for the fifth respondent would submit that the respondents 1 to 4 have complied with the condition till date. Hence, he prayed for dismissal of this petition.

5.Considering the facts and circumstances of the case and also considering the fact that there is no violation in the order passed by the learned Principal Sessions Judge, Dindigul in Crl.M.P.No.2384 of 2022, dated 03.08.2022, the question of cancellation of bail does not arise.

6.Accordingly, the Criminal Original Petition is dismissed.

30.11.2022

Index:Yes/No
Internet:Yes/No
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To:-

- 1.The Principal Sessions Judge, Dindigul
- 2.The Inspector of Police,
Eriodu Police Station,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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A.A.NAKKIRAN, J.

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