



Crl.O.P.No.4 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.02.2023

CORAM :

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.4 of 2023

A.Selvi

...Petitioner

Vs.

1.The State of Tamilnadu,
Rep. by The Inspector of Police,
Kunnam Police Station,
Perambalur District.

2.Manivannan

3.Palanivel

4.Lakshmi

5.Selvambal

6.Kalaiselvi

7.Kanaga

Crime No.118 of 2022

...Respondents

PRAYER: Criminal Original Petition has been filed under Section 439(2) of Criminal Procedure Code praying to cancel the anticipatory bail granted by Vacation Sessions Judge, Perambalur in Crl.M.P.No.929 of 2022 in Crime No.118 of 2022 dated 13.05.2022.

For Petitioner : Mr.M.Jaisingh
For R1 : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)
For R2 to R7 : Mr.G.Ilamurugu



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ORDER

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This petition is filed by the petitioner/defacto complainant seeking to cancel the anticipatory bail granted to the respondents 2 to 7/accused vide order dated 13.05.2022 passed in Crl.M.P.No.929 of 2022 on the file of the Vacation Sessions Court, Perambalur.

2. The present petition has been filed by the defacto complainant by contending that after granting anticipatory bail, the accused continued to cause threat to her to withdraw the criminal complaint given against them. According to the defacto complainant such threat was caused to her on 13.07.2022 and she has also given a complaint based on which the CSR.No.349 of 2022 was given. Again on 27.06.2022 and 11.07.2022 the accused have threatened her to withdraw the complaint failing which she has to face dire consequences. It is therefore contended that the accused have breached the conditions imposed by the learned Vacation Sessions Judge, Perambalur and therefore the anticipatory bail granted to them has to be canceled.



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3. On perusal of the material record, it is seen that the petitioner has not approached the Investigating Officer with any complaint. On the other hand, she has given repeated complaints to the District Collector during the grievance day. The grievance expressed by the petitioner/defacto complainant in those complaints pertaining to a land dispute with the accused, who is their adjacent land owner (s). Therefore, on the basis of such complaint given by the defacto complainant, the anticipatory bail granted to the accused by the learned Sessions Judge, is not required to be cancelled. The petitioner has not made out any grounds for cancellation of the anticipatory bail granted in favour of the accused.

4. Accordingly, this Criminal Original Petition stands dismissed.

01.02.2023

Internet: Yes
Index: Yes/No
Speaking/Non speaking order
gbi



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T.V.THAMILSELVI, J.

gbi

To

- 1.The Inspector of Police,
Kunnam Police Station,
Perambalur District.
- 2.The Public Prosecutor,
High Court of Madras.

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