



WEB COPY

CRL MP(MD)



21

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

Monday, the Thirteenth day of March Two Thousand and Twenty Three
PRESENT

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

CRL MP(MD) No.3163 of 2021

IN

CRL OP(MD) No.646 of 2021

A.JOTHI

... PETITIONER/DE-FACTO COMPLAINANT

Vs

1 A.ARUNACHALAM

... RESPONDENT NO.1/PETITIONER

2 State Rep.by

THE INSPECTOR OF POLICE

THIRUTHANGAL POLICE STATION,

VIRUDHUNAGAR DISTRICT.

(IN CRIME NO.1263/2020)

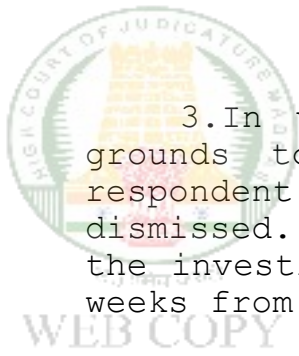
... RESPONDENT NO.2/RESPONDENT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to issue notice to the 1st Respondent and cancel the Anticipatory Bail granted to him in Crl.O.P.No.664/2021 on 09.03.2021.

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.JOTHI BASU.M., Advocate for the petitioner and of M/S.A.BANUMATHI, Advocate on behalf of the 1st Respondent and MR.B.THANGA ARAVINDH, Government Advocate (Crl.Side) on behalf of the 2nd Respondent, the court made the following order:-

This Criminal Miscellaneous Petition has been filed to cancel the anticipatory bail granted to the first respondent by this Court vide order dated 09.03.2021 made in CRL.O.P.(MD)No.664 of 2021 on the ground that the petitioner has never filed any complaint under Section 138 of Negotiable Instruments Act against the first respondent.

2.Further, this Court recorded that already the suit in O.S.No.12 of 2021 on the file of the learned Principal District Munsif, Srivilliputhur and also the complaint filed under Section 138 of Negotiable Instruments Act in C.C.No.166 of 2020 on the file of the learned Judicial Magistrate, Aruppukkottai, by the defacto complainant, are pending as against the first respondent. That apart, other conditions imposed by this Court are duly complied with by the first respondent herein.



3. In view of the above facts, this Court finds no grounds to cancel the anticipatory bail granted to the first respondent. Therefore, this Criminal Miscellaneous Petition stands dismissed. However, the second respondent is directed to complete the investigation and file a final report within a period of twelve weeks from the date of receipt of a copy of this order.

sd/-

13/03/2023

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/04/2023

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

vsd

TO

1 THE INSPECTOR OF POLICE
THIRUTHANGAL POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.JOTHI BASU.M., Advocate (SR-4047[I] dated 13/03/2023)

ORDER

IN

CRL MP(MD) No.3163 of 2021

IN

CRL OP(MD) No.646 of 2021

Date :13/03/2023

RS/CG/SAR-4(10.04.2023) 2P 4C