



Crl.O.P.(MD)Nos.8128, 8318 and 8326 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 07.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.(MD)Nos.8128, 8318 and 8326 of 2021

Crl.O.P.(MD)No.8128 of 2021

K.Sakthikumaran

... Petitioner/3rd Party/
De facto Complainant

VS.

1.D.Sumathi

... 1st Respondent/Petitioner/
4th Accused

2.State Represented by
Inspector of Police,
Ganesh Nagar Police Station,
Crime No.207 of 2021
Pudukottai District.

... 2nd Respondent/respondent
Complainant

PRAYER : This Criminal Original Petition has been filed under Section 439(2) r/w 482 of Cr.P.C., to cancel the order of bail granted in Cr.M.P.No.1790 of 2021 on the file of the learned Principal and Sessions Judge, Pudukottai, dated 05.05.2021.

For Petitioner : Mr.M.Kannan



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For R1 : Mr.D.Ramesh Kumar
For R2 : Mr.R.M.Anbunithi
Additional Public Prosecutor (crl.side)

Crl.O.P.(MD)No.8318 of 2021

HDB Financial Services
Rep. by its Area Credit Manager,
K.Sakthikumaran

... Petitioner/3rd Party/
De facto Complainant

vs.

1.Umasankar

... 1st Respondent/Petitioner/
3rd Accused

2.State Represented by
Inspector of Police,
Ganesh Nagar Police Station,
Crime No.207 of 2021
Pudukottai District.

... 2nd Respondent/respondent
Complainant

PRAYER : This Criminal Original Petition has been filed under Section 439(2) r/w 482 of Cr.P.C., to cancel the order of bail granted in Cr.M.P.No.1948 of 2021 on the file of the learned Principal and Sessions Judge, Pudukottai, dated 03.06.2021.

For Petitioner : Mr.M.Kannan
For R1 : Mr.K.Balasundharam
For R2 : Mr.R.M.Anbunithi
Additional Public Prosecutor (crl.side)



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HDB Financial Services
Rep. by its Area Credit Manager,
K.Sakthikumaran

... Petitioner/3rd Party/
De facto Complainant

VS.

1.Marimuthu

... 1st Respondent/Petitioner/
5th Accused

2.State Represented by
Inspector of Police,
Ganesh Nagar Police Station,
Crime No.207 of 2021
Pudukottai District.

... 2nd Respondent/respondent
Complainant

PRAYER : This Criminal Original Petition has been filed under Section 439(2) r/w 482 of Cr.P.C., to cancel the order of bail granted in Cr.M.P.No.1970 of 2021 on the file of the learned Principal and Sessions Judge, Pudukottai, dated 05.06.2021.

For Petitioner : Mr.M.Kannan

For R1 : Mr.K.Kevin Karan

For R2 : Mr.R.M.Anbunithi
Additional Public Prosecutor (crl.side)



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COMMON ORDER

These Criminal Original Petitions have been filed to cancel the bail granted to the first respondent in all the petitions in Cr.M.P.Nos. 1790, 1948 and 1970 of 2021 on the file of the learned Principal and Sessions Judge, Pudukottai, dated 05.05.2021, 03.06.2021 and 05.06.2021 respectively.

2. The petitioner is the defacto complainant and the first respondent in all the petitions are arrayed as accused Nos.4, 3 and 5. In pursuant to the registration of FIR in Crime No.207 of 2021 for the offences under Sections 34, 120(b), 411, 414 and 381 of IPC, they were arrested and remanded to judicial custody on 24.04.2021. Subsequently, they moved an application for bail before the learned Principal and Sessions Judge, Pudukottai, in Cr.M.P.Nos.1790, 1948 and 1970 of 2021 and the same were allowed on 05.05.2021, 03.06.2021 and 05.06.2021, on condition that they shall appear before the second respondent daily at 10.30 a.m until further orders and co-operate for investigation.



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3.The petitioner is being the defacto complainant filed these petitions for cancellation of bail granted to the first respondent in all the petitions on the ground that the Court below ought not to have granted bail to them, since they were committed very serious offences. However, the respondent police is not yet recovered the entire jewels and they did not take any steps to recover the remaining jewels.

4. The learned Additional Public Prosecutor appearing for the second respondent submitted that the first respondent in all the petitions have duly complied with the condition imposed by the Court below. He further submitted that some of the properties have been recovered and the final report is yet to be filed.

5.Since the first respondent in all the petitions have complied with the conditions imposed by the Court below and also the petitioner failed to make out the case for cancellation of bail to them, this Court is not inclined to allow this petitions. Accordingly, these Criminal Original Petitions are dismissed. However, the first respondent in all the petitions are directed to appear before the second respondent for a period of two



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weeks and to co-operate with the investigation. The second respondent is also 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.

07.03.2023

NCC: Yes/No
Index: Yes/No
Internet: Yes/No
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To

1. The Principal and Sessions Judge, Pudukottai.
2. The Inspector of Police,
Ganesh Nagar Police Station,
Pudukottai District.
3. The Inspector of Police,
Manapparai Police Station,
Trichy District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.K.ILANTHIRAIYAN , J.

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07.03.2023