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CRL OP(MD). No.10165 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) No.10165 of 2023

ANUSHA

... PETITIONER/ DEFACTO COMPLAINANT

Vs

1 THE STATE REP BY,
THE INSPECTOR OF POLICE
AVANIYAPURAM POLICE STATION,
MADURAI DISTRICT.
(Crime No. 1284 /2021)

... 1st RESPONDENT/RESPONDENT

2 ABITHALI

... 2nd RESPONDENT/ACCUSED

Criminal Original Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Cancel the bail granted in favour of the 2nd respondent/accused in CRL.MP.No.1047of 2023 dt.27.2.2023 Principal Session Judge Madurai and commit him to custody.

ORDER : This Criminal Original Petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.M.SHIK MOHAMED, Advocate for the petitioner and of MR.R.SURESH KUMAR, Government Advocate (Criminal Side) on behalf of the 1st Respondent and MR.S.RAJASEKAR, Advocate for M/S.LAJAPATHI ROY AND ASSOCIATES on behalf of the 2nd Respondent, the court made the following order:-

This petition has been filed seeking cancellation of bail granted to the second respondent in Crl.M.P.No.1047 of 2023 dated 27.02.2023 before the Principal Sessions Judge, Madurai.

2. Learned counsel for the petitioner submitted that by not disclosing the

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relevant and material facts and by misleading the Court, the second respondent has got bail before the concerned Court. Earlier, he has filed two petitions seeking bail in the year 2021 and 2022. Without disclosing the facts, he had obtained the bail order.

3. Learned counsel for the second respondent would submit that when the matter was referred to the mediation, there is no settlement between the parties. The second respondent has also filed an affidavit of apology for not disclosing the fact of dismissal of the earlier petitions.

4. Considering the facts and circumstances of this case and in view of the development that the apology tendered by the second respondent, nothing survives for further adjudication.

5. Accordingly, this Criminal Original Petition is disposed of.

sd/-
27/09/2023

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/10/2023

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

PNN
TO

- 1 THE PRINCIPAL SESSIONS JUDGE, MADURAI
- 2 THE INSPECTOR OF POLICE
AVANIYAPURAM POLICE STATION,
MADURAI DISTRICT.



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

ORDER
IN

CRL OP(MD) No.10165 of 2023

Date :27/09/2023

RS/DD/SAR-(17.10.2023) 3P 4C
Madurai Bench of Madras High Court is issuing
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