



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

Thursday, the Ninth day of March Two Thousand and Twenty Three

PRESENT

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

CRL MP(MD) No.7991 of 2021

IN

CRL OP(MD) No.10858 of 2020

SESHADRI VARADHAN

... Petitioner / Intervener /
Defacto Complainant

Vs

1 STATE THROUGH
THE INSPECTOR OF POLICE
CITY CRIME BRANCH,
MADURAI CITY,
MADURAI
(CRIME NO.36 OF 2020)

... 1st Respondent / Respondent /
Complainant

2.SIVAMOORTHY

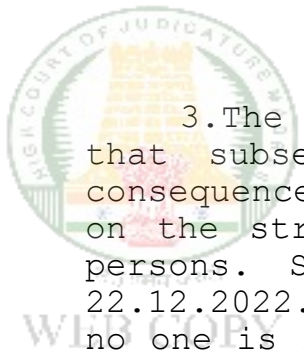
... 2nd Respondent / Petitioner /
Accused No.5

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to cancel the Anticipatory bail granted to R2/Petitioner/Accused No.5 in rl.O.P(MD)No.10858/2020 dt. 14/10/2020.

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. MARIAPPAN.G., Advocate for the petitioner and of Mr.B.THANGA ARAVINDH, Government Advocate (Crl. side) on behalf of the Respondent No.1 and of Mr.S.RAGAVENTHRE, Advocate for the Respondent No.2, the court made the following order:-

This Criminal Miscellaneous Petition has been filed to cancel the anticipatory bail granted to the second respondent/petitioner/A5 in Crl.O.P.(MD)No.10858 of 2020, dated 14.10.2020 on the file of this Court.

2.The petitioner has filed the present petition on the ground that after granting anticipatory bail, the second respondent/A5 is continuously disturbing with the peaceful possession and enjoyment of the subject property owned by the petitioner herein.



3.The learned counsel for the second respondent/A5, stated that subsequent to the anticipatory bail, without knowing the consequences, the second respondent had executed agreement for sale on the strength of the power of attorney in favour of the other persons. Subsequently, the agreement for sale was cancelled on 22.12.2022. He further submitted that after cancellation for sale, no one is interfering with the peaceful possession and enjoyment of the subject property.

4.Considering the said submission made by the learned counsel for the second respondent, this Court finds no ground to cancel the anticipatory bail granted to the second respondent/A5.

5.In the result, this Criminal Miscellaneous Petition is dismissed.

sd/-
09/03/2023

/ TRUE COPY /

/03/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

To

1.The Judicial Magistrate No.I, Madurai.

2.Do through the Chief Judicial Magistrate,
Madurai District.

3.The Inspector of Police,
City Crime Branch,
Madurai City, Madurai.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.PRABHU, Advocate (SR-3846[I] dated 09/03/2023)

+1 CC to M/s.MARIAPPAN.G, Advocate (SR-3930[I] dated 10/03/2023)

ORDER

IN

CRL MP(MD) No.7991 of 2021

IN

CRL OP(MD) No.10858 of 2020

Date :09/03/2023