



Crl.O.P.(MD)No.15517 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 09.10.2023

CORAM

THE HON'BLE MR.JUSTICE V. SIVAGNANAM

Crl.O.P.(MD)No.15517 of 2023

Mariya Selvam

... Petitioner/DefactoComplainant

Vs.

1.Mariyappan

2.Mahendran

3.Mathavan

4.Muthupandi

5.Panjavarnam

6.Subha @ Subalakshmi

... Respondents/Petitioners 1 to 6

7.State Represented by
The Inspector of Police,
Ayyapuram Police Station,
Tenkasi District.
(In Crime No.57 of 2023)

... Respondents/Respondents

PRAYER : Criminal Original Petition filed under Section 439(2) of the Code of Criminal Procedure, to cancel the anticipatory bail granted to the first to sixth respondents/A1 to A6 in Cr.M.P.No.8321 of 2023 dated 30.06.2023 on the file of the Principal Sessions Judge, Tirunelveli in connection with Cr.No.57 of 2023 dated

<https://www.mhc.tn.gov.in/judis>



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20.06.2023 for the offence under Sections 147, 294(b), 323 and 506(2) IPC.

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For Petitioner : Mr.R.Ganeshprabhu, Advocate

For R7 : Mr.RMS.Sethuraman,
Additional Public Prosecutor

For R1 to R6 : Mr.R.J.Karthick, Advocate

ORDER

This Criminal Original Petition has been filed to cancel the anticipatory bail granted to the first to sixth respondents/A1 to A6 in Cr.M.P.No.8321 of 2023 dated 30.06.2023 on the file of the Principal Sessions Judge, Tirunelveli in connection with Cr.No.57 of 2023 dated 20.06.2023 for the offence under Sections 147, 294(b), 323 and 506(2) IPC.

2.The learned counsel appearing for the petitioner would submit that there was land dispute between the petitioner's family and the accused's family. Due to which, a case and a counter case were registered. The accused herein approached the Court below and obtained anticipatory bail on 30.06.2023 in Cr.M.P.No.8321 of 2023. In the said order, it was wrongly mentioned that the petitioner was discharged from the hospital. He would further submit that the petitioner was admitted in the hospital on



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20.06.2023 and discharged from the hospital only on 01.07.2023. However, the accused persons misrepresented before the Court below that the petitioner has been treated as outpatient. Therefore, the petitioner preferred the present petition to cancel the anticipatory bail granted to the first to sixth respondents.

3.The learned Additional Public Prosecutor appearing for the seventh respondent would submit that after completion of investigation, charge sheet was filed in both cases.

4.Heard both sides and perused the materials available in the records.

5.On perusal of records, it is noticed that due to civil dispute, a case and counter case came to be registered. Now, the seventh respondent, after completion of investigation, filed charge sheet in both cases. Therefore, I find no ground to cancel the anticipatory bail granted to the private respondents. Accordingly, this criminal original petition is dismissed.

sd/-
09/10/2023

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/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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gns

To

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1.The Principal Sessions Judge,
Tirunelveli.

2. The Inspector of Police,
Ayyapuram Police Station,
Tenkasi District.

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

ORDER
IN

CRL OP(MD) No.15517 of 2023

Date :09/10/2023

SSA/JGB/25.10.2023/4P/4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023