



CRL MP(MD) No.14455 of 2023

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

Tuesday, the Twelfth day of December Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

CRL MP(MD) No.14455 of 2023

IN

CRL OP(MD) No.20030 of 2022

J.JENISHA

... Petitioner / Defacto Complainant

Vs

1 SHAJEE @ SHAJU

2 PAULRAJ

3 VASANTHI

... Respondents 1 to 3 / Accused No.1 to 3

4 THE INSPECTOR OF POLICE
THUCKALAY POLICE STATION,
THUCKALAY,
KANYAKUMARI DISTRICT.
(CRIME NO.431/2022).

... 4th Respondent / Complainant

Criminal Miscellaneous Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to cancel the bail granted to 2nd Respondent/2nd Accused in CrI.OP(MD)No.20030/2022 dt.11/11/2022 on the file of this Honble Court.

Order : This criminal miscellaneous petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.ARAVINTHAN G, Advocate for the petitioner and of



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Mr.K.PANDIARAJAN, Advocate on behalf of the Respondent No.2 and of Mr.RMS.SETHURAMAN, Additional Public Prosecutor on behalf of the Respondent No.4, the court made the following order:-

This Petition has been filed to cancel the anticipatory bail granted in Crl.O.P (MD).No.20030 of 2022, dated 11.11.2022 on the file of this Court.

2. The learned counsel appearing for the petitioner submitted that the the accused persons failed to comply with the conditions and hence, he prays for cancellation of anticipatory bail granted to them.

3. The learned Additional Public Prosecutor would submit that the investigation in this case is completed and charge sheet also filed, which was taken on file in C.C.No.586 of 2023 by the concerned trial Court.

4. Heard both sides and perused and materials available on record.

5. In view of the Judgments laid down by the Hon'ble Supreme Court reported in 1978 AIR 1961 equivalent to 1978 SCR(3) 950 in the case of State through Delhi Vs. Sanjay Gandhi and others and 1955 SCC (1) 349, JT 1995(1) 127 in the case of (Dolat Ram Vs. State of Hariyana), very cogent and supervening circumstances are necessary for an order directing the cancellation of bail already granted. However, once the bail granted should not be cancelled in a mechanical manner without considering whether any intervening circumstances have rendered out no longer conducive to fair trial to allow the accused to retain their freedom by enjoying the



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concession during the trial. Therefore, the grounds stated in the petition does not
made the parameter laid down by the Hon'ble Supreme Court and hence, this
Petition is dismissed.

sd/-
12/12/2023

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/01/2024
Sub-Assistant Registrar
(C.S.I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS

To

1.The Judicial Magistrate No.I,
Padmanabhapuram,
Kanniyakumari District.

2.Do through the Chief Judicial Magistrate,
Kanniyakumari District at Nagercoil.

3.The Inspector of Police,
Thuckalay Police Station,
Thuckalay,
Kanyakumari District.

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

+1CC to M/s.G.ARAVINTHAN, Advocate, SR.No.17665(I), dated 13/12/2023



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ORDER

IN

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IN

CRL OP(MD) No.20030 of 2022

Date :12/12/2023

ED/ JGB /SAR- (02/01/2024) 4P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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