



WEB COPY

CRL OP(MD). N



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

Date : 15/03/2023

PRESENT

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

CRL OP(MD). No.21510 of 2022

Chandra Sekaran ... Petitioner/3rd Party /
Defacto Complainant

Vs

1 The State Rep.by
The Inspector of Police,
Theni Police Station,
Theni District.
(Crime No.338/2022).

... Respondent / Respondent
/Complainant

2. Eswaran, ... Respondent / Petitioner / Accused No.1
3. Senthil, ... Respondent / Petitioner / Accused No.2
4. Prabakaran, ... Respondent / Petitioner / Accused No.3

For Petitioner : M/s.Vijayaraja J,
Advocate.

For R - 1 : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

For RR 2 to 4 : Mr.M.Maharaja, Advocate.

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-To cancel the anticipatory bail granted to the 2nd, 3rd and 4th Respondent in Crl.MP.No.3938/2022 on the file of Principal District and Sessions Court, Theni by order dated 15.10.2022 in Crime No.338/2022 dated 07.10.2022.

ORDER : The Court made the following order :-

This petition has been filed to cancel the anticipatory bail granted to the respondents 2 to 4 in Crl.MP.No.3938/2022 on the file of Principal District and Sessions Court, Theni, by order dated 15.10.2022, on the ground that they misrepresented before the trial Court and obtained anticipatory bail.

<https://www.hc.madras.gov.in/judis>



2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. Except the complaint that the petitioner sold out the car in favour of the respondents 2 to 4 for the total sale consideration of Rs.3 lakhs, however, they paid a sum of Rs.2,40,000/- and the remaining amount was not paid. Considering the facts and circumstances of the case, the court below granted anticipatory bail to the respondents 2 to 4 herein.

4. On perusal of the order passed by the court below, there was no misrepresentation by the respondents 2 to 4 herein. In fact, the respondents 2 to 4 issued a legal notice to the defacto complainant. Therefore, this Court finds no ground to cancel the anticipatory bail granted to the respondents 2 to 4.

5. Accordingly, this Criminal Original Petition is dismissed.

sd/-
15/03/2023

/ TRUE COPY /

/03/2023

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

TO

- 1 THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
THENI.
- 2 THE INSPECTOR OF POLICE
THENI POLICE STATION,
THENI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.21510 of 2022
Date :15/03/2023

PS
MK/CG/SAR II/24.03.2023 2P 4C