



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 07.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN  
Crl.O.P.(MD)No.23188 of 2022

WEB COPY

R.Sivasubramanian ... Petitioner/De-facto complainant  
vs.  
1.Abdulla ... 1<sup>st</sup> Respondent/Petitioner/1<sup>st</sup> Accused  
2.State Represented through  
Inspector of Police,  
Manapparai Police Station,  
Trichy District. ... 2<sup>nd</sup> Respondent/Respondent/Complainant

**PRAYER** : This Criminal Original Petition has been filed under Section 439(2) of Cr.P.C., to cancel the bail in Cr.M.P.No.3471 of 2022 on the file of the learned Judicial Magistrate, Mannapparai, dated 04.10.2022.

|                |                              |
|----------------|------------------------------|
| For Petitioner | : Mr.C.Vakeeswaran           |
| For R1         | : Mr.A.Joel Paul Antony      |
| For R2         | : Mr.R.M.Anbunithi           |
|                | Additional Public Prosecutor |

### ORDER

This Criminal Original Petition has been filed to cancel the bail granted to the first respondent/A1 in Cr.M.P.No.3471 of 2022 on the file of the learned Judicial Magistrate, Mannapparai, dated 04.10.2022.

2. The petitioner lodged a complaint against the first respondent and others and the same was registered in Crime No.359 of 2022 for the offence under Sections 341, 294(b), 387 and 506(i) of IPC. In pursuant to the registration of FIR, the first respondent was arrested and remanded to judicial custody on 02.11.2022. Subsequently, he moved an application for bail before the learned Judicial Magistrate, Manapparai, in Cr.M.P.No.3471 of 2022 and the same was allowed on 04.10.2022 on condition that the first respondent shall appear before the second respondent daily at 10.30 a.m for the period of 15 days.

3. The petitioner has filed the present petition on the ground that after released on bail, the first respondent/A1 threatened the petitioner and also attempted to tamper the evidences. In this regard the petitioner lodged a complaint before the second respondent. On receipt of such complaint, the second respondent conducted an enquiry and thereafter, it was closed.



4.The learned Additional Public Prosecutor appearing for the second respondent would submit that the first respondent/A1 has duly complied with the condition imposed by the Court below.

5.Since the first respondent has complied with the conditions imposed by the learned Judicial Magistrate, Mannapparai, in Cr.M.P.No.3471 of 2022, dated 04.10.2022. this Court finds no reasonable grounds to cancel the bail granted to the first respondent.

6.Hence, this Criminal Miscellaneous Petition is dismissed. However, the second respondent is directed to complete the investigation and file a final report in Crime No.359 of 2022 within a period of 12 weeks from the date of receipt of a copy of this order. It is made clear that if the first respondent indulge in very same activity, the petitioner is at liberty to lodge a fresh complaint on the fresh cause of action and on receipt of the same, the second respondent shall conduct enquiry and proceed in accordance with law.

sd/-

07/03/2023

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/04/2023

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

CP  
TO

- 1 THE JUDICIAL MAGISTRATE,  
MANNAPPARAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE  
TIRUCHIRAPPALLI.
- 3 THE INSPECTOR OF POLICE  
MANAPPARAI POLICE STATION, TRICHY DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

+1 CC to M/s.VAKEESWARAN.C, Advocate ( SR-3547[I] dated 07/03/2023 )

ORDER

IN

CRL OP(MD) No.23188 of 2022

Date :07/03/2023