



CRL MP(MD) No.17000 of 2023

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

Wednesday, the Sixth day of December Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice V.SIVAGNANAM

CRL MP(MD) No.17000 of 2023

IN

CRL OP(MD) No.19603 of 2023

AMBIKA

... PETITIONER

Vs

1 THE INSPECTOR OF POLICE
ALL WOMAN POLICE STATION,
LALGUDI,
THIRUCHIRAPPALLI.

2 DURAI

3 MALA

4 SUDHAKAR

5 SUKUMAR

6 SUMATHI

7 DEVIKA

8 JAYASRI

9 SALOMIYA

... RESPONDENTS



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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 Anticipatory Bail granted by this Hon'ble Court in Crl OP(MD) No.19603/2023 dt.03.11.2023 to the respondents 2 to 9/accused forthwith.

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.SARAVANAKUMAR.J, Advocate for the petitioner and of Mr.RMS.SETHURAMAN, Additional Public Prosecutor on behalf of the 1st Respondent and Mr.M.JEGADEESH PANDIAN, Advocate for the Respondents No.2 to 9, the court made the following order:-

This Petition has been filed to cancel the anticipatory bail granted in Crl.O.P (MD).No.19603 of 2023, dated 03.11.2023 on the file of this Court.

2. The learned counsel appearing for the petitioner submitted that the 2nd respondent has not handed over the household articles, 10 sovereigns of jewels and Royal Enfield bearing Registration No.TN 48 BX 6759 and the accused persons have also not appeared before the Social Welfare Officer for enquiry and hence, he prays for cancellation of anticipatory bail granted to them.

3. The learned Additional Public Prosecutor would submit that it is a case of matrimonial between the husband and wife and the investigation of the case is pending.

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



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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 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/-
06/12/2023

/ TRUE COPY /

/12/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP
TO
1 THE JUDICIAL MAGISTRATE,
LALGUDI, TRICHY DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE
ALL WOMAN POLICE STATION,
LALGUDI,
THIRUCHIRAPPALLI.

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



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4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.J.SARAVANA KUMAR, Advocate (SR-17344[I] dated 06/12/2023)

ORDER
IN
CRL MP(MD) No.17000 of 2023
IN
CRL OP(MD) No.19603 of 2023
Date :06/12/2023

SA/DD/SAR. /20.12.2023/4P/6C

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