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Crl.M.P.No.2542 of 2024 in Crl.O.P.No.24997 of 2024

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**Crl.O.P.No.24997 of 2024**

**T.V.THAMILSELVI, J.,**

This Criminal Miscellaneous petition has been filed seeking to cancel the anticipatory bail order dated 20.12.2021 made in Crl.O.P.No.24997 of 2021 passed by this Court.

2. The case of the prosecution is that the defacto-complainant is the husband of the 2nd Respondent's sister. There was matrimonial dispute between the defacto-complainant and his wife. It is alleged that the defacto-complainant had lent Rs.1.04 crores to A1. Thereafter, A1 did not returned the money. Hence, the defacto-complainant lodged a complaint against the accused persons. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that this case only a family dispute, this Court already referred this case for Mediation before the Mediation and Conciliation Centre, Cuddalore. But, no



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amicable settlement was arrived between the petitioner and the respondents 2 to 4. Hence, he prayed to cancel the anticipatory bail granted in favour of the respondents 2 to 4 and take suitable action as against the respondents 2 to 4.

4. The learned counsel appearing for the Respondents 2 to 4 stating that the respondents 2 to 4 were obtained anticipatory bail by an order dated 20.12.2021. Moreover, the Respondents 2 to 4 were complied every conditions imposed by this Hon'ble Court by an order dated 20.12.2021. This present cancellation of anticipatory bail petition is not maintainable either law or facts. The defacto-complainant/petitioner has filing this petition only to defame the respondents 2 to 4 and their family members. Hence, he prayed to dismiss the present petition for cancellation of anticipatory bail.

5. The learned Government Advocate (Crl.Side) appearing for the respondent stating that the dispute between the Defacto-complainant and the Respondents 2 to 4 is only a family dispute. In this context, matrimonial case is pending before the trial Court.



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6. Heard the learned counsel for the petitioners, learned counsel for the respondents 2 to 4 and also the learned Government Advocate (Crl.Side) for the 1st respondent and perused the entire materials available on record.

7. Considering the facts and circumstances of the case and the submissions made by the counsels and on considering the fact that the dispute between the Defacto-complainant and the Respondents 2 to 4 is only a family dispute. Already, matrimonial case is pending before the trial Court. Therefore, this Court is not inclined to allow this petition for cancellation of anticipatory bail.

8. Accordingly, this Criminal Miscellaneous Petition is dismissed.

**02.08.2024**

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