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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-12-2024

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL MP NO. 15414 of 2024

in

CRL OP NO.12198 of 2022

K RAMASAMY
S/O. KATTAIYA KONAR, THENKUMARI VILLAGE
AND POST, THALALIVASAL TALUK, SALEM
DISTRICT. AND 5 OTHERS

PETITIONER(S)

Vs

VENKATCHALAM
S/O.ARIKKAN, 4/49, KATTUKOTTAI
WEST, THENKUMARAI POST, ATTUR TALUK,
THENKUMARAI, SALEM DISTRICT AND 2 OTHERS

RESPONDENT(S)

For Appellant(s):

P.DINESH KUMAR
MAHAMANDRA RAJALAKSHMI R
M ABBIRAAAMI
P BHARGAVI
P SATHISHKUMAR
M S UMESH
R SATHISHKUMAR

For Respondent(s):

S.SANTHOSH
GOVERNMENT ADVOCATE (CRL.SIDE)
M SATHISH-MS/689/2018
M.MUNIRATHINAM COUNSEL FOR R1 AND R2
PUBLIC PROSECUTOR FOR R3



ORDER

This criminal miscellaneous petition has been filed to cancel the bail granted to respondents 1 and 2 herein by this Court in Crl.O.P.No.12198 of 2022 dated 23.05.2022.

2. Learned counsel appearing for the petitioner/ defacto complainant submits that, after granting of bail to the respondents 1 and 2 herein by this Court in Crl.O.P.No.12198 of 2022 dated 23.05.2022, they have threatened the defacto complainant with dire consequences and to withdraw the entire case, therefore, the petitioner had lodged two complaints before the third respondent police, and the same have been registered in CSR.Nos.98 and 216 of 2023, respectively. He also submitted that the respondents 1 and 2 have violated the conditions of the bail and also posed a life threat to the petitioner and his family members, therefore, prayed to cancel the bail granted to the respondents 1 and 2.

3. Learned counsel appearing for the respondents 1 and 2 would submit that the respondents 1 and 2 have not threatened the petitioner or his family members and further they have regularly complying with the conditions imposed on them by this Court. He also submits that the petitioner had lodged false complaint only to harass the respondents 1 and 2 and to cancel the bail granted to them, therefore, he prayed to dismiss this petition.



4. Learned Government Advocate (Criminal Side) submits that based on the complaint given by the defacto complainant, a case was registered in Crime No.86 of 2022 and the respondents 1 and 2 herein were arrested on 03.03.2022 and subsequently, enlarged on bail by this Court vide order dated 23.05.2022 in Crl.O.P.No.12198 of 2022. He also submitted that the petitioner herein had lodged complaints before the respondent police and the same were registered in CSR Nos.98 and 216 of 2023, respectively and after investigation, the same are closed. He also submitted that as far as the first complaint in CSR No.98 of 2023, the petitioner has not turned up and as far as, the second complaint in CSR No.216 of 2023 is concerned, on investigation, it is found that there is a civil dispute between the parties and the same has to be sorted out before the Civil Court. He also submitted that, based on the complaints made by the petitioner, on investigation, it is found that there is no violation of bail conditions imposed upon the respondents 1 and 2.

5. Heard the learned counsel for the petitioner, learned counsel for respondents 1 and 2 and the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record.

6. Taking note of the facts, submissions made on both sides and taking into consideration that there is no violation of bail conditions by the



respondents 1 and 2, this Court is inclined to dismiss this cancellation of petition.

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7. Accordingly, this criminal miscellaneous petition is dismissed.

16-12-2024

stn

To

1. VENKATCHALAM

S/O.ARIKKAN,

4/49, KATTUKOTTAI WEST, THENKUMARAI POST,

ATTUR TALUK,

THENKUMARAI, SALEM DISTRICT

2. THIYAGARAJAN

S/O VENKATCHALAM, NO 4/49/1/66/A, NORTH STREET, THENKUMARI TOWN AND TALUK, SALEM DISTRICT.

3. THE STATE REP BY

THE INSPECTOR OF POLICE, THALAIVASAL POLICE STATION,
SALEM DISTRICT CRIME NO 86 OF 2022.

A.D.JAGADISH CHANDIRA

stn



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Crl.O.P. No.12198 of 2022

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