



CRL MP(MD) No.3827 of 2024:

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

Wednesday, the Twenty Seventh day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL MP(MD) Nos.3827 and 3829 of 2024

IN

CRL OP(MD) Nos.4011 and 3914 of 2024

CRL MP(MD) No.3827 of 2024:

RATHIKA

... Petitioner / Defacto Complainant

Vs

1 THE INSPECTOR OF POLICE
KOMBAI POLICE STATION,
THENI DISTRICT.
CRIME NO.36/2024

... 1st Respondent / Respondent

2 VENKATSAN

... 2nd Respondent / Petitioner

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 to the 2nd Respondent in CrI.O.P.(MD).No.4011/2024 dated 13.03.2024.

CRL MP(MD) No.3829 of 2024:

RATHIKA

... Petitioner / Defacto Complainant

Vs



CRL MP(MD) No.3827 of 2024:

1 THE INSPECTOR OF POLICE
KOMBALAI POLICE STATION,
THENI DISTRICT.
(CRIME NO.36/2024)

... 1st Respondent / Respondent

2 R.LATHANANDHINI

... 2nd Respondent / Petitioner

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 to the 2nd respondent in CrI.O.P.(MD).No.3914/2024 dated 13.03.2024.

Order : These criminal miscellaneous petitions coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.PURANTHARADHASAR.A, Advocate for the petitioner in both petitions and of Mr.P.KOTTAICHAMY, Government Advocate (CrI. side) on behalf of the Respondent No.1 in all both petitions, the Court made the following order:-

These criminal miscellaneous petitions have been filed to cancel the anticipatory bail granted to the accused No.1 and 2 in CrI.O.P.(MD)Nos.4011 and 3914 of 2024 dated 13.03.2024.

2.The case of the petitioner is that the accused persons received a sum of Rs.5,00,000/- from the petitioner/defacto complainant by giving false promise to secure Government job and thereafter, cheated the petitioner/defacto complainant and refused to return the amount. Hence, the petitioner herein lodged a complaint before the first respondent. Thereby, a criminal case was registered against the



CRL MP(MD) No.3827 of 2024:

accused persons in Crime No.36 of 2024 for the offences under Sections 417, 420 and 506(i) of IPC. Against which, A1 and A2 filed an application for anticipatory bail before this Court in Crl.O.P.(MD)Nos.4011 and 3914 of 2024 and the same was allowed on 13.03.2024 directing the first accused to deposit Rs.3,20,000/- to the defacto complainant directly by way of demand draft.

3.The learned counsel for the petitioner would submit that the petitioner has given Rs.10,00,000/- to the accused persons and during the filing of the petition and during the course of arguments, the accused had suppressed the said fact. Hence, he filed the present petition for cancellation of anticipatory bail.

4.The learned counsel for the accused 1 and 2 would submit that no supervening circumstances arisen for cancelling the anticipatory bail and all those things were elaborately considered by this Court while granting anticipatory bail. Hence, he prayed for dismissal of this petition.

5.Heard the learned Government Advocate (Crl. side) appearing for the State.

6.Considering the facts and circumstances of the case and also considering the fact that no supervening circumstances were brought to the notice of this Court as enumerated by the Apex Court in the case of Daulat Ram – Vs – State of Haryana (1995 (1) SCC 349), the prayer as sought for by the petitioner cannot be acceded to.

7.For the reasons aforesaid, the petition seeking to cancel the anticipatory bail



CRL MP(MD) No.3827 of 2024:

granted to the Accused No.1 and 2 cannot be sustained and accordingly, the same is

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dismissed.

sd/-
27/03/2024

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/04/2024

Sub-Assistant Registrar
(C.S.I /II /III /IV)

Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

To

1.The Judicial Magistrate,
Bodinayakkanur, Theni District.

2.Do through the Chief Judicial Magistrate,
Theni District.

3.The Inspector of Police,
Kombai Police Station,
Theni District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL MP(MD) Nos.3827 and 3829 of 2024

IN

CRL OP(MD) Nos.4011 and 3914 of 2024

Date :27/03/2024



CRL MP(MD) No.3827 of 2024:

ED/ VR /SAR- (16/04/2024) 5P / 5C

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