



Crl.O.P.(MD)No.18792 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.02.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.(MD)No.18792 of 2023

Amutha Mary

... Petitioner/Complainant

Vs.

**1.The State,
The Inspector of Police,
Devakottai Taluk Police Station,
Sivagangai District.**

... 1st Respondent/Respondent

2.Arokiaraj

... 2nd Respondent/Petitioner

PRAYER:- Petition filed under Section 439(2) of Cr.P.C., to cancel the anticipatory bail granted to the second respondent in Cr.M.P.No.4066 of 2023 by the Principal Sessions Judge, Sivagangai, dated 20.09.2023.

For Petitioner : Mr.N.Adithya Vijayalayan, Advocate

**For Respondents: Mr.S.Manikandan
Government Advocate (Crl. side) for R1**

Mr.S.M.Sanjay, Advocate for R2



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ORDER

This Criminal Original Petition has been filed to cancel the anticipatory bail granted to the second respondent in Cr.M.P.No.4066 of 2023 by the Principal Sessions Judge, Sivagangai, dated 20.09.2023.

2.The case of the petitioner is that initially, the first respondent police registered a case against the second respondent as if he has stolen the defacto complainant's bike and accordingly, the trial Court granted anticipatory bail to the second respondent. Subsequently, the bike was burned by the second respondent. Thereby, the present cancellation of petition is filed before this Court.

3.The learned counsel for the second respondent/accused would submit that the second respondent, without prejudice to his rights or without prejudice to the petitioner's rights, is ready to deposit Rs.25,000/- to the defacto complainant directly by way of demand draft within a period of two weeks.

4.In view of the undertaking given by the learned counsel for the second respondent, this Court is not inclined to allow this petition. Hence, this petition is



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dismissed with a direction to the second respondent shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) by way of demand draft drawn in favour of the defacto complainant within a period of two weeks from the date of receipt of a copy of this order.

sd/-
05/02/2024

/ TRUE COPY /

/02/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI
TO

- 1 THE PRINCIPAL SESSIONS JUDGE,SIVAGANGAI.
- 2 THE INSPECTOR OF POLICE
DEVAKOTTAI TALUK POLICE STATION, SIVAGANGAI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.M.SANJAY, Advocate (SR-1447[I] dated 06/02/2024)
+1CC to MR.D.VENKATESH, Advocate(SR -3532[I] DT:07/02/2024)

ORDER
IN
CRL OP(MD) No.18792 of 2023
Date :05/02/2024

PKP/JGB/SAR /09.02.2024/ 3P/ 6C
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