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Crl.M.P.No.6310 of 2025 in Crl.O.P.No.20677 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-11-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL MP NO.6310 of 2025
in CRL OP NO.20677 of 2024

R. Shanmuga Sundaram

... Petitioner/ defacto complainant

Vs

1. Arun Alphine

... 1st Respondent/ A1

2. The Inspector of Police,
S9 Palavanthangal Police Station,
St. Thomas Mount.
(Crime No.177 of 2022)

... 2nd Respondent/ Complainant

PRAYER: This criminal miscellaneous petition has been filed under Section 439(2) of Cr.P.C to cancel the anticipatory bail granted to the second respondent herein by this Court in Crl.O.P.No.20677 of 2024 dated 09.09.2024.

For Petitioner(s) : M/s. Thilagavathi G.S.

For R1 : Mr. R. Thamaraiselvan

For R2 : Mr. S. Udayakumar
Government Advocate (Crl.Side)



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ORDER

This criminal miscellaneous petition has been filed by the defacto complainant/ petitioner, to cancel the anticipatory bail granted to the first respondent herein by this Court in Crl.O.P.No.20677 of 2024 dated 09.09.2024 on the ground that the accused/ 1st respondent herein executed a letter before the respondent police that he would settle the money to the defacto complainant, however the same was suppressed by the accused and in the petition seeking anticipatory bail, and order also passed, vide order dated 09.09.2024 in Crl.O.P.No.20677 of 2025.

2. Heard the learned counsel for the first respondent and the learned Government Advocate (Crl. Side) appearing for the second respondent.

3. I have considered the submissions made on both sides and perused the records.

4. On perusal of the letter dated 11.03.2022 it reveals that alleged letter executed by the first respondent/ accused before the respondent police. In which, it is recorded that the first respondent has come forward to settle the



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amount to the defacto complainant and in default, the police shall take legal action. However no money was paid as per the above letter. The respondent police had registered FIR on 19.08.2022. Subsequently, the petitioner approached this Court seeking anticipatory bail in Crl.O.P.No.20677 of 2024 and it is true that there is no reference regarding the alleged letter dated 11.03.2022 in the bail petition, however this Court had considered the merits of the claim based on allegations granted anticipatory bail to the petitioner, vide dated 09.09.2024.

5. Considering the above facts, this Court finds that the reason stated by the defacto complainant for cancelling the bail is not suppression of fact and there is no reason to cancel the anticipatory bail granted to the accused/ first respondent.

6. Accordingly, this criminal original petition is dismissed.

06.11.2025

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K. RAJASEKAR, J.

stn

To

1. The Inspector of Police,
S9 Palavanthangal Police Station,
St. Thomas Mount.
(Crime No.177 of 2022)
2. The Public Prosecutor,
High Court of Madras.

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in CRL OP NO.20677 of 2024**

06.11.2025