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Crl.O.P.No.23695 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.23695 of 2025

B.Lakshmipathi

... Petitioner

Vs.

1. The Inspector of Police,
City Crime Branch Avadi,
Avadi City District.

2. V.Dinesh

... Respondents

Prayer: Criminal Original Petition filed under Section 483(2) of BNSS praying to cancel the bail order in Crl.M.P.No.528 of 2025 in Crime No.14 of 2025 dated 06.06.2025 passed by the learned Judicial Magistrate No.2, Ponneri, Tiruvallur.

For Petitioner	:	M/s.T.Balachandran
For R1	:	Mr.A.Gopinath Government Advocate (Crl.Side)
For R2	:	Mr.S.Suresh

ORDER

This petition has been filed by the defacto complainant for cancellation of the bail granted by the learned Judicial Magistrate No.2, Ponneri, Tiruvallur District in Crl.M.P.No.528 of 2025 in Crime No.14 of 2025.



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2. The learned counsel appearing for the petitioner/defacto complainant submitted by relying the photographs filed in the type set of paper showing the 2nd respondent /bail petitioner trespassed into the property and threatened the defacto complainant, hence there is a violation of bail condition, hence prays for cancellation of bail. He further submitted that when the defacto complainant has made steps to survey the lands, that was opposed by the 2nd respondent.

3. The learned counsel for the 2nd respondent submitted that totally false allegations has been made by the defacto complainant and the 2nd respondent had not threatened the defacto complainant. Hence, prays for dismissal of the petition.

4. I have considered the submissions of the submissions on both side. Though it is stated that the petitioner has trespassed into the property and attempted to take possession of the property, it is seen from the photographs produced the petitioner/defacto complainant that there is presence of the police and some advocates, which reveals that legal steps has been taken by



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the 2nd respondent. The petitioner herein instead of resorting to the legal proceedings had come with the allegation that he had been threatened by the 2nd respondent. Further, this Court is of the view that, objecting to the survey is not a valid reason to cancel the bail since the same is not the condition as imposed by the Court and accordingly, this Criminal Original petition is dismissed.

19.11.2025

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To

1. The Inspector of Police,
City Crime Branch Avadi,
Avadi City District.
2. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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