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IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 07.11.2025

CORAM
THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Crl.A.No.1365 of 2025

Suthakar

... Petitioner

Vs.

1. The Deputy Superintendent of Police,
Deputy Superintendent of police Office,
Sirkazhi, Mayiladuthurai District.

2.The State rep by its
The Inspector of Police,
Poriyar Police Station,
Mayiladuthurai District.

3. Ragavendran

4. Rajkumar

5. Ajith Kumar

... Respondents

PRAYER : This petition is filed under Section 430 of B.N.S.S to cancel the bail order in Crl.M.P.No.1011 of 2025 dated 05.08.2025 on the file of this District and Sessions Judge, Mayiladuthurai and pass orders.

For Petitioner : Mr.C. Venkatesan

For Respondent : Mr.V.Meganathan
Government Advocate



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ORDER

This Criminal Revision Case has been filed to cancel the bail order in CrI.M.P.No.1011 of 2025 dated 05.08.2025 on the file of this District and Sessions Judge, Mayiladuthurai.

2. The facts of the case is that the petitioner is the defacto complainant in this case and he has lodged a complaint before the second respondent stating that the Respondents 3 to 5 have attacked him and caused injuries to him. Due to which a case was registered and the respondents 3 to 5 were arrested. Thereafter, they were released on bail by the District and Sessions Judge, Mayiladuthurai in CrI.M.P.No.1011 of 2025 on 05.08.2025. To cancel the same the petitioner has come up with this petition.

3. The learned counsel for the petitioner submits that the accused/Respondents 3 to 5 have severely attacked the petitioner and caused grievous injuries to him. He further submits that inspite of the bail was granted to the accused/Respondents 3 to 5 they did not comply with the same and failed to appear before the Court. Hence the bail granted to them should be cancelled. Hence prays to allow this petition.



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4. The learned counsel appeared for the first respondent would submit that only based on the complaint given by the petitioner the case has been registered and they have arrested the accused. He further submitted that now the investigation has been completed to certain extent.

5. The learned counsel appearing for the Respondents 3 to 5 submitted that that the petitioner has given a false complaint against them and they were remanded to judicial custody on 27.05.2025 and they were in prison for 73 days. He further submitted that they were no way connected to the offence and prays to dismiss this petition.

6. Heard both sides and perused the materials available on record.

7. On a perusal of the impugned order it is seen that the petitioner has contended through his counsel that the injured persons is taking treatment. But the fact remains that the injured person has been under gone treatment from 26.06.2025 and discharged on 04.07.2025. Thereafter, he was admitted in the hospital for ailment and treatment. Hence, considering the fact that the period of incarceration and nature of the offences and the injured was discharged from the



hospital, the Court below has granted bail to the petitioner, which needs no interference.

8. Further more on seeing the medical records of the victim it is seen that that injured has admitted in the hospital on 26.06.2025 and has undergone treatment for the injuries and thereafter discharged on 04.07.2025. However, based on the complaint given by the defacto complainant the respondent police have registered the case and the same was taken on file by the District and Sessions Judge, Mayiladuthurai and the accused were granted only an interim relief by way of bail with certain conditions.

9. The main ground raised by the petitioner is that the accused are not appearing before the Court below inspite of the bail was granted to them. It is the duty of the respondent/police and the prosecution to verify whether the accused or appearing or not. It is also made clear that if the accused are not co-operating for the investigation, necessary action will be taken against them by the respondent/police and the prosecution. Even though the petitioner is involved in the case it would be suffice if the petitioner shall co-operate for the investigation and trial.



8. For the foregoing reasons the order passed in Crl.M.P.No.1011 of 2025 dated 05.08.2025 on the file of this District and Sessions Judge, Mayiladuthurai is confirmed and this Criminal Appeal is dismissed. Consequently the connected miscellaneous petition is closed.

07.11.2025

smn

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1. The Deputy Superintendent of Police,
Deputy Superintendent of police Office,
Sirkazhi, Mayiladuthurai District.

2.The Inspector of Police,
Poriyar Police Station,
Mayiladuthurai District.

3. The Public Prosecutor, High Court,
Madras



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T.V.THAMILSELVI, J.

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