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C.M.P.No.No.31802 of 2025 in LPA SR.No.172447 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 16.12.2025

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN
and
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

C.M.P.No.No.31802 of 2025 in
LPA SR.No.172447 of 2025

V.Radhakrishnan

.. Petitioner

Vs.

1. V.Vengadapathy

2. G.Vijayakumar

3. The Inspector of Police
District Crime Branch, Tiruppur.

.. Respondents

Criminal Miscellaneous Petition filed under Section 151 of C.P.C. to grant leave to the petitioner to file L.P.A. against the impugned order dated 24.09.2025, passed in Cont. P.No.4025 of 2024, on the file of this Court, as third-party petitioner.

For Petitioner : Mr.P.A.Sai Govindaraja

For R3 : Mr.A.Damodaran
Additional Public Prosecutor
Assisted by Mr.M.Karthikeyan



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C.M.P.No.No.31802 of 2025 in LPA SR.No.17244/ 01 2025

ORDER

(The Order of the Court was made by P.Velmurugan, J)

This Civil Miscellaneous Petition has been filed to grant leave to the petitioner to file Letters Patent Appeal (L.P.A.) against the impugned order dated 24.09.2025, passed in Cont.P.No.4025 of 2024, on the file of this Court, as third-party petitioner.

2. The case of the petitioner is that based on the complaint given by the petitioner, the 2nd respondent was arrested in connection with Crime No.14 of 2024, registered for the offence under Section 420 of IPC. Subsequently, the 2nd respondent filed a petition before this Court in CrI.O.P.No.15812 of 2024 seeking bail and this Court, by order dated 05.07.2024, granted bail to the 2nd respondent with certain conditions. In compliance of the bail conditions, the 2nd respondent gave an undertaking before the trial Court that he would not influence any encumbrance over the subject property. On coming to know about the same, the 1st respondent/third party filed a petition in CrI.M.P.No.12731 of 2024 seeking to modify the bail conditions imposed by this Court against the 2nd respondent and this Court, by order dated 28.10.2024, cancelled the bail granted to the 2nd respondent as well the undertaking affidavit filed by the 2nd respondent and also directed the police to secure the 2nd respondent. However, the third respondent/Police had not arrested the 2nd respondent. Hence, the 1st respondent filed a contempt



petition before this Court in Cont.P.No.4025 of 2024. Pending contempt petition, the 2nd respondent filed a petition before this Court in CrI.O.P.No.2533 of 2025 seeking anticipatory bail, in which the petitioner/de facto complainant has filed an intervening petition.

3. The contention of the petitioner is that the petition for anticipatory bail filed by the 2nd respondent and the intervening petition filed by the petitioner were tagged along with the said contempt petition and this Court, by order dated 24.09.2025, passed an order favouring the 2nd respondent by directing the Police not to harass him. But the relief sought by the petitioner in the intervening petition, was not considered by the contempt Court and without passing any order in the intervening petition, the Court has passed the impugned order not to harass the accused/2nd respondent. Hence, the present petition has been filed seeking leave to the petitioner to file the L.P.A.

4. Heard and perused the materials available on record.

5. It is seen that the contempt petition is still pending and no final order has been passed so far. Even in the intervening petition filed by the petitioner, no order has been



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passed. Under such circumstances, L.P.A. is not maintainable. Therefore, this Court is not inclined to grant leave.

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6. Accordingly, this Civil Miscellaneous Petition is dismissed. Consequently, the L.P.A. is rejected at the SR stage itself.

(P.V., J) (M.J.R., J)
16.12.2025

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To

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



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P.VELMURUGAN, J

and

M.JOTHIRAMAN, J

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