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Crl.M.P.No.22818 of 2025 in Crl.O.P.No.9139 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-12-2025

CORAM
THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL MP NO.22818 of 2025
in CRL OP NO. 9139 of 2024

R. Vijaya Samundeeswari

... Petitioner/ defacto complainant

Vs

1. Perumal
2. Sivaselvam
3. Devaki
4. Karthikeyan
5. Sambantham
6. Velu

... Respondents 1 to 6 / Accused

7. The State Rep. By,
The Inspector of Police,
Mailam Police Station,
Villupuram District.
(Crime No.529 of 2023)

... 7th Respondent/ Complainant

PRAYER: This criminal miscellaneous petition has been filed under Section 483(3) of BNSS to cancel the anticipatory bail granted to the respondents 1 to 6 herein by this Court in Crl.O.P.No.9139 of 2024 dated 15.04.2024.

For Petitioner(s) : Mr. Deepan Uday

For R7 : M/s. J.R. Archana
Government Advocate (Crl.Side)



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ORDER

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This criminal miscellaneous petition has been filed by the defacto complainant/ petitioner, to cancel the bail granted to the respondents 1 to 6 herein by this Court, vide order dated 15.04.2024 in Crl.O.P.No.9139 of 2024.

2. The learned counsel appearing for the petitioner/ defacto complainant submitted that the accused/ respondents 1 to 6 herein had attempted to illegally take possession of the defacto complainant's land, hence a complaint was lodged before the respondent police/ R7 and the same has been registered in Crime No.529 of 2023; that subsequently, the accused/ respondents 1 to 6 herein approached this Court seeking anticipatory bail in Crl.O.P.No.9139 of 2024 and the same was granted by this Court, vide order dated 15.04.2024; that thereafter, the accused after being enlarged on anticipatory bail again attempting to take possession of the defacto complainant's property and threatening her; that subsequent complaint was also lodged by the defacto complainant regarding this, which is under investigation, hence prays to cancel the anticipatory bail granted to the accused/ respondents 1 to 6.



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3. The learned Government Advocate (Crl. Side) appearing for the seventh respondent submitted that the investigation of the case in Crime No.529 of 2023 was completed and charge sheet filed, which is pending in P.R.C. No.49 of 2025 on the file of the learned Judicial Magistrate-II, Tindivanam.

4. I have considered the submissions made and the materials available on record. Though it is stated that the accused/ respondents 1 to 6 herein threatened the defacto complainant and they have alleged to have actively involved in taking possession of the defacto complainant's land, there are no materials available to substantiate the said contention of the petitioner herein.

5. Considering the above facts and nature of allegation, the defacto complainant instead of initiating Civil proceedings for seeking appropriate remedy against the accused, attempting to cancel the anticipatory bail granted to them is not proper and also the fact that the anticipatory bail was granted to the respondents 1 to 6 herein in the month of April 2024 and the final report is also filed in P.R.C. No.49 of 2025 on the file of the learned Judicial Magistrate, Tindivanam, this Court finds there is no reason or any violation of anticipatory bail conditions to cancel the anticipatory bail granted to the respondents 1 to 6 herein by this Court, vide order dated 15.04.2024 in Crl.O.P.No.9139 of 2024.



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K. RAJASEKAR, J.

stn

6. Accordingly, this criminal miscellaneous petition stands dismissed.

01.12.2025

stn

To

1. The Inspector of Police,
Mailam Police Station,
Villupuram District.
(Crime No.529 of 2023)
2. The Public Prosecutor,
High Court of Madras.

**CRL MP NO.22818 of 2025
in CRL OP NO. 9139 of 2024**