



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-12-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL MP NO.23014 of 2025

in CrI.OP.No.30462 of 2025

Subramaniyan C

Petitioner

Vs

1.Mannankatti
2.Iyyapan
3.The State rep by
The Sub Inspector of Police,
Kilkodungalore Police Station,
Tiruvannamalai District.

Respondent

PRAYER : Criminal Original Petition filed under Section 483(2) of Bharatiya Nagarik Suraksha Sanhita, 2023, to cancel the anticipatory bail granted to the 1st and 2nd respondent / accused in CrI.OP.No.30462 of 2025 in Cr.No.22 of 2025 order dated 07.11.2025 and direct the 3rd respondent police to secure and arrest the 1st and 2nd respondent for effective investigation.

For Petitioner:

Mr.Faiz Ahmed J

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For Respondent:

Mr.J.Deva for R1 and R2
M/s.J.R.Archana
Government Advocate (Crl.side) for R3

ORDER

This petition has been filed to cancel the anticipatory bail granted to the 1st and 2nd respondent / accused in CrI.OP.No.30462 of 2025 in Cr.No.22 of 2025 order dated 07.11.2025.

2. The respondents 1 and 2 herein are the petitioners in 1 & 2 in CrI.OP.No.30462 of 2025 by order dated 07.11.2025, they were granted anticipatory bail for the offence under Sections 191(2), 191(3), 296(b), 115(2), 118(1), 74, 351(3) of BNS, in Crime No.200 of 2025 on the file of the 3rd respondent police.

3. This Court, after considering the merits of the case and also recording that there were no previous cases against the bail petitioners, granted anticipatory bail.

4. The learned counsel for the petitioners submitted that the bail petitioners had suppressed the bad antecedents at the time of filing the bail petition. He further submitted that since the bail order was obtained by suppression of vital facts, the same is liable to be cancelled. In



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support of his submissions, he relied upon the final report filed in Cr.No.299 of 2012 on the file of Kilkodugalur Police Station and the FIR in Cr No.141 of 2022 on the file of Kedugalur Police Station.

5. This Court has perused the FIR and the other connected materials, and heard the learned counsel appearing for the petitioner and respondents 1 and 2.

6. The document produced by the petitioner reveal that respondents 1 and 2 are having one previous case of similar in nature. Though, usually at the time of granting bail or anticipatory bail, the previous antecedents of the petitioner are taken into account for deciding their entitlement for such relief, in this case, this Court has recorded that the petitioners were not having any previous case and also considered the other merits of the case. Though it is alleged that there was suppression of the fact that respondents 1 and 2 were having one previous case of similar in nature, this Court is of the view that even if the said antecedent would have been informed before this Court.

7. Considering the nature of the allegations levelled in the case for which bail was granted, the same would not have materially influence the decision of this Court while granting bail or anticipatory bail, this Court



is of the view that on this ground, the cancellation of bail is not necessary.

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8. Accordingly, this Criminal Miscellaneous Petition is dismissed.

09.12.2025

drl

To

1.The Sub Inspector of Police,
Kilkodungalore Police Station,
Tiruvannamalai District.

2.The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.,

drl

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