



Crl.R.C.(MD)No.568 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.08.2025

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.R.C.(MD)No.568 of 2025

Syed Mohammed

... Petitioner/Petitioner/
Defacto Complainant

Vs.

1.Sharmila Begam

... Respondent/Respondent/
Petitioner

2.The State of Tamil Nadu,
Rep.through the Inspector of Police,
Chathirakudi Police Station,
Chathirakudi.
(Cr.No.51/2024)

... Respondent/2nd Respondent/
Complainant

PRAYER : Criminal Revision Case filed under Section 438 r/w 442 B.N.S.S., to call for records relating to impugned order dated 19.02.2025 passed in Crl.MP.No.323 of 2025 in Crl.MP.No.4905 of 2024 on the file of the Principal District and Sessions Judge, Ramanathapuram and set aside the said order.

For Petitioner : Mr.S.Vashik Ali

For R1 : M/s.Sepana @ Sri



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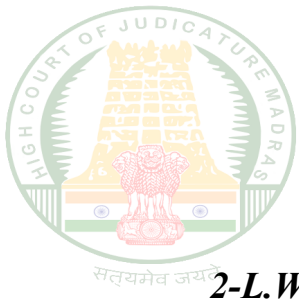
For R2

: Mr.M.Sakthi Kumar
Government Advocate(Crl.Side)

ORDER

Challenging the order passed by the learned Principal District and Sessions Judge, Ramanathapuram in Crl.MP.No.323 of 2025 in Crl.MP.No.4905 of 2024 dated 19.02.2025, this criminal revision case is filed by the petitioner.

2. The petitioner herein is the defacto complainant in crime No.51 of 2024 on the file of the 2nd respondent police. The 1st respondent is the 2nd accused in the aforesaid crime. It is brought to the notice of this Court that the 1st respondent had preferred as many as four criminal original petitions before this Court seeking anticipatory bail in Crl.O.P(MD)Nos. 8511, 12115, 17817 & 20219 of 2024. All of which were dismissed as withdrawn. It is settled proposition of law that once a petition for anticipatory bail is disposed of by this Court whether on merits or dismissed as withdrawn, subsequent petition for anticipatory bail before the Sessions Court would not lie and this has been confirmed by this Court in the case of *T.Kokila Devi Vs. S.Thenmurugan* reported in 2019



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2-L.W (Crl.) 738. However, in the instant case, despite dismissal of the applications for anticipatory bail by this Court for four times, pursuant to the same, the anticipatory bail application has been entertained in Crl.M.P.No.4905 of 2024 and the 1st respondent was allowed to be enlarged on anticipatory bail. The said exercise is *per se* illegal and in view of the same, the application made by the petitioner in Crl.M.P.No. 323 of 2025 to cancel the anticipatory bail ought to have been duly appreciated and allowed. Having not done so, I find it necessary to set aside the order impugned in this criminal revision case and the same is set aside.

3. Accordingly, this Criminal Revision Case is allowed.

20.08.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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L.VICTORIA GOWRI ,J.

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To

- 1.The Principal District and Sessions Judge,
Ramanathapuram.
- 2.The Inspector of Police,
Chathirakudi Police Station,
Chathirakudi.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.R.C.(MD)No.568 of 2025

Dated: 20.08.2025