



Crl.OP(MD)No.11736 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

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Viswanathan

: Petitioner

Vs.

1.Harish

2.George Edward

3.Giridharan

4.Sabarishan

5.Santoshkumar

6.S.Mahamuni

: Respondents

PRAYER: Petition filed under Section 528 BNSS [482 CrPC] as against the docket order passed in Crl.MP.No.352 of 2025 in Unnumbered CC.No. -- of 2025 dated 21.03.2025 on the file of the Judicial Magistrate No.II, Kulithalai and to number the same.



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For Petitioner : Mr.M.Saravanan

ORDER

The petitioner / defacto complainant has set the law in motion and a case has been registered in Crime No.441 of 2020 on the file of the Kulithalai Police Station for the offence punishable u/s.147, 294(b), 323, 324, 384, 506(ii) IPC. The accused / respondents 1 to 5 herein were granted anticipatory bail by this Court in Crl.OP(MD)No.5370 of 2020, dated 18.05.2020 with certain conditions, viz., reporting before the respondent Police for interrogation daily at 10.00 am; etc. The conditions imposed were subsequently relaxed vide order dated 11.06.2020 in Crl.MP(MD)No.3196 of 2020 in Crl.OP(MD)No.5370 of 2020.

2.According to the petitioner, the accused persons have not complied with the conditions and have not appeared before the respondent Police. However, the sixth respondent / Sub Inspector of Police suppressed the material facts and made a wrong statement before this Court as if the



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accused persons have appeared for interrogation, based on which, this Court has relaxed the conditions imposed on them. Therefore, the petitioner has lodged a private complaint as against the accused persons / respondents 1 to 5 and the sixth respondent. However, the learned Magistrate has returned the private complaint that there is no allegation of criminality done by accused 1 to 5 and as regards, the sixth accused, there is no previous sanction. Aggrieved over the same, the petitioner has filed this instant petition.

3.Granted bail / anticipatory bail with certain conditions and thereafter, relaxing / modifying those conditions are the discretion of the Court. Therefore, on this score, the petitioner has not made out a case for criminal prosecution as against the respondents. The learned Magistrate is right in returning the complaint. Moreover, for the incidents [grant of anticipatory bail and relaxing the conditions] that took place during May - June 2020, the petitioner has lodged this private complaint in the year 2025.



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This Court is not inclined to entertain this petition and the same is accordingly dismissed.

Internet : Yes
gk

18.07.2025

To

- 1.The Judicial Magistrate No.II,
Kulithalai.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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