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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.01.2025

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD) No.22003 of 2024

C.Thiyagarajan

... Petitioner/ Intervener/ Defacto complainant

Vs.

1.Gandhi

... Respondent/ Petitioner/ A2

2.The Inspector of Police,
SIPCOT Police Station,
Thoothukudi District.
(Crime No.184 of 2024)

... Respondent/ Respondent/ Complainant

Prayer: Criminal Original Petition filed under Section 483(2) of B.N.S.S. seeking to cancel the Anticipatory Bail granted to the first respondent/A2 by the learned Principal Sessions Judge, Thoothukudi by its order dated 15.07.2024 made in Crl.M.P.No.4332 of 2024.

For Petitioner : Mr.S.Vignesh Shunmugam
for M/s.Ajmal Associates

For R1 : Mr.A.D.Ganeshamoorthi

For R2 : Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)



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ORDER

The Criminal Original Petition has been filed seeking to cancel the anticipatory bail granted in favour of the first respondent by the learned Principal Sessions Judge, Thoothukudi, by an order dated 15.07.2024 passed in CrI.M.P.No.4332 of 2024.

2. Heard the learned counsel on either side and perused the material records of the case.

3. The main ground on which the present Criminal Original Petition has been filed is that the first respondent, taking advantage of the anticipatory bail, is continuing to threaten the petitioner and is forcing the petitioner to withdraw the complaint. That apart, the first respondent also lodged a false complaint against the petitioner as if he has committed an offence under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. The said complaint was inquired into by the police and was closed as a mistake of fact. Even thereafter, the first respondent is continuously threatening the petitioner.



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4. When the matter was taken up for hearing today, the learned Government Advocate (Criminal Side) appearing for the second respondent police submitted that the investigation has been completed and that the police report is going to be filed at any time. The learned Government Advocate (Criminal Side) further submitted that there are 5 pending cases against the petitioner.

5. Taking into consideration the facts and circumstances of the case and considering the fact that the investigation has already been completed and the police report is going to be filed before the concerned court shortly, this Court does not find any reason to cancel the anticipatory bail granted to the first respondent at this stage. It is also made clear that the first respondent shall not cause any threat or harassment to the petitioner, either by himself or through others. The parties will agitate the dispute before the competent court in accordance with law.

6. This Criminal Original Petition is disposed of with the above observations.

Sd/-
28/01/2025

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/02/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

- 1 THE PRINCIPAL SESSIONS JUDGE,
THOOTHUKUDI.
- 2 THE INSPECTOR OF POLICE,
SIPCOT POLICE STATION,
THOOTHUKUDI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.22003 of 2024
Date :28/01/2025

ES/SKN/SAR /03.02.2025/ 4P/4C

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