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Crl.M.P.No.12518 of 2025



in
Crl.O.P.No.6885 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2026

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THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.M.P.No.12518 of 2025

in

Crl.O.P.No.6885 of 2025

Selvi

... Petitioner

Vs.

1. Ramasamy

2. Periyasamy

3. Pachiyammal

4. Sivaprakasam

5. Prakasam

6. Selvi

7. The Inspector of Police,
O/o. The Circle of Police,
Tharamangalam,
Salem District.
Cr.No.118/2025

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to cancel the bail granted to the respondents 1 to 6 in Crl.O.P.No.6885 of 2025 dated 26.03.2025.



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For Petitioner : Mr.D.Nandha Gopal

For Respondents : Mr.M.Sivakumar (for R1 to R6)

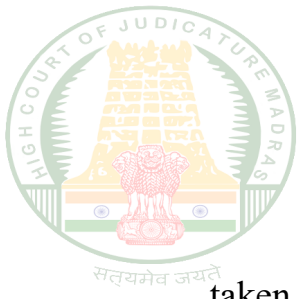
Mr.N.Palanivel,
Government Advocate (Crl.Side) for R7

ORDER

The present Criminal Original Petition has been filed seeking cancellation of the bail granted to respondents 1 to 6 in Crl.O.P.No.6885 of 2025, by order dated 26.03.2025 passed by this Court.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The learned counsel for the petitioner would submit that, though the first and second respondents had cancelled Document No.9090 of 2024, the same was done only with a view to defeat the rights of the petitioner. It is his further submission that one Thangam had already instituted a partition suit and, on the very same day, the petitioner therein and the defendants had obtained a collusive partition decree, which fact was not brought to the notice of this Court. According to the learned counsel, by virtue of the said decree, the cancellation deed would have no effect.



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4. Though such a contention has been raised, this Court had already

taken note of the cancellation deed relating to Document No.9090 of 2024. It is not in dispute that the sale deed covered under Document No.9090 of 2024 has already been cancelled. Though there may be other pending litigations between the parties, the same cannot be adjudicated in a petition seeking cancellation of bail. The contention of the learned counsel for the petitioner is that, had the decree passed in O.S.No.302 of 2024 been brought to the notice of this Court, the order granting bail would not have been passed.

5. However, this Court is unable to accept the said contention, inasmuch as respondents 1 and 2 have cancelled Document No.9090 of 2024 in terms of the undertaking given before this Court. Therefore, if the petitioner has any grievance with regard to the decree dated 27.01.2025 passed in O.S.No.302 of 2024, it is always open to her to work out her remedy in the manner known to law. It is a well-settled principle of law that the liberty granted by a Court should not be interfered with lightly. In the case in hand, this Court finds that no material has been placed before it to warrant interference with the liberty already granted to respondents 1 to 6.



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6. Accordingly, this Criminal Original Petition stands dismissed.

23.06.2026

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To

1. The Inspector of Police,
O/o. The Circle of Police,
Tharamangalam,
Salem District.

2.The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN.J.

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