

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.23709 of 2015

S.Sivaraj .. Petitioner/Defacto
complainant

Vs.

1. State rep.by
The Inspector of Police,
City Crime Branch,
Chennai,
(in Crime No.9 of 2015)

2.Dr.Udayan Felix

3. P.Peres Franklin .. Respondents/Complainant
2nd Accused Surety

Criminal Original Petition filed under Section 482 Cr.P.C.,
praying to direct the learned XI M.M. Court, Saidapet, Chennai to
take action for issuance of warrant of arrest in Crime No.9 of 2015
against the 2nd and 3rd respondents herein for the breach of surety
bail bond as provided under Section 443 of Cr.P.C.

सत्यमेव जयते

For Petitioner : Mr.T.C.S.Raja Chockalingam

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For Respondent : Mr.C.Emalias,
No.1 Addl. Public Prosecutor

For Respondents M/s.S.Joel &
No. 2 & 3 : M.Sathish Kumar

O R D E R

This criminal original petition has been filed by the defacto-complainant in Crime No.9 of 2015 for a direction to the the learned XI M.M. Court, Saidapet, Chennai to take action against the accused for furnishing improper sureties with the bail bond.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent No.1 and the learned counsel appearing for the respondents No.2 & 3.

3. The direction as prayed for by the petitioner cannot be granted, because the power of the Magistrate Act under Section 443 Cr.P.C is already available and if the Magistrate finds that the accused had given wrong particulars, it is always open to the Magistrate to initiate action against the accused.

In view of the above, no blanket direction need to be issued. Hence, the criminal original petition is closed.

-s/d-

Assistant Registrar(CSII)

dt:29/09/2015

True Copy

Sub-Assistant Registrar

sms

To

1. The learned XI M.M. Court,
Saidapet, Chennai

2.-do-Thro The Chief Metropolitan Magistrate
Egmore, Chennai

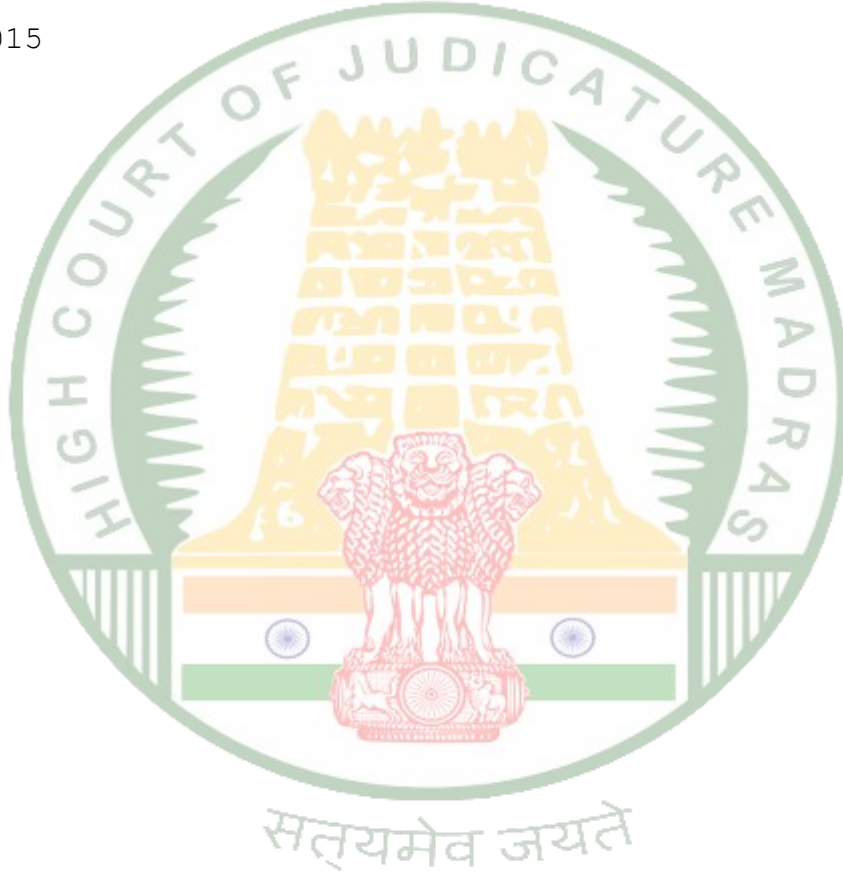
3. The Inspector of Police,
City Crime Branch,
Chennai,
(in Crime No.9 of 2015)

4. The Public Prosecutor,
High Court, Madras.

+1 cc to M/S.Joel Advocate sr.51763
+1 cc to the Public Prosecutor sr.no.51494

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