



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Friday, the Twenty Fifth day of September Two Thousand Fifteen

PRESENT

The Hon'ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.12069 of 2015

SAHILA BANU

... PETITIONER(S) / ACCUSED

Vs

1 THE STATE REP.BY
THE INSPECTOR OF POLICE
NAGAMALAI PUDHUKOTTAI POLICE STATION,
NAGAMALAI PUDHUKOTTAI, MADURAI DISTRICT.

2 JERINA BEGAM

3 AZAR,

4 SULTHAN @ SULTHAN BEEVI

5 ABBAS

... RESPONDENTS / COMPLAINANTS

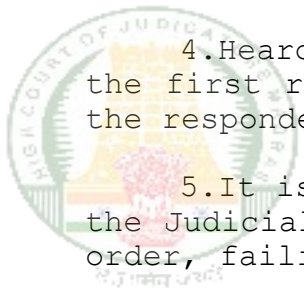
Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to cancel the Anticipatory Bail granted in Crl.M.P.No. 1149 of 2015 dated 24.03.2015 order passed by the Hon'ble Principal Sessions Court, Madurai to the accused persons/Respondent Nos. 2 to 5 and pass such further or other orders as this Hon'ble Court.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.I.Sabeer Mohamed, Advocate for the petitioner and of Mr.S.Prabha, Government Advocate (Crl.side) on behalf of the Respondent1 and Mr.R.Shankar Ganesh, Advocate for the Respondents 2,4 and 5 the court made the following order:-

This application is filed seeking cancellation of anticipatory bail granted to the respondents 2 to 5/A1 to A4 by the learned Principal Sessions Judge, Madurai in Crl.M.P.Nos.1149 of 2015, dated 24.03.2015.

2.The learned counsel for the petitioner submitted that by an agreement, dated 11.03.2015, the accused have agreed to return Rs.60,000/- to the de-facto complainant and also paid Rs.20,000/- on 11.03.2015. However, they did not pay the balance amount of Rs.40,000/- and in the meanwhile, they moved anticipatory bail petition before the Sessions Court, suppressing the agreement entered into between them and obtained anticipatory bail on 24.03.2015.

3.The learned counsel further submitted that as per the condition imposed by the Sessions Court, the accused have to surrender before the concerned court within 10 days from the date of receipt of the order, but the accused have not chosen to surrender before the court within the time
<https://hcservices.mca.gov.in/hcservices/> furnish sureties to the satisfaction of the Judicial Magistrate No.6, Madurai and therefore, the anticipatory bail granted by the Sessions court has to be cancelled.



4. Heard the learned Government Advocate (Criminal side) appearing for the first respondent as well as Mr.R.Shankar Ganesh, learned counsel for the respondents 2, 4 and 5.

5. It is seen from the order that the accused have to surrender before the Judicial Magistrate No.6, Madurai within 10 days from the date of the order, failing which, the bail shall stand cancelled automatically.

6. In view of the above facts, the present application to cancel the anticipatory bail is not maintainable. Hence, this petition is dismissed. It is open to the first respondent the Inspector of Police, Nagamalai Pudhukottai Police station, Madurai to secure the accused and take action as per law, in the event of non-compliance of the court order.

sd/-
25/09/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE PRINCIPAL SESSIONS JUDGE
THE PRINCIPAL SESSIONS COURT
MADURAI

2 THE INSPECTOR OF POLICE
NAGAMALAI PUDHUKOTTAI POLICE STATION,
NAGAMALAI PUDHUKOTTAI, MADURAI DISTRICT.

3 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH
COURT, MADURAI

+1. CC to M/S.S.MALAIKANI, Advocate SR.No.57196.

ORDER
IN
CRL OP(MD) No.12069 of 2015
Date :25/09/2015

AM/08.10.2015/AMF/SAR-II/2P/5C