

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.01.2016

Coram

The Hon'ble Mr.Justice B.RAJENDRAN

Criminal Original Petition Nos.1107, 3010 and 3023 of 2014

Crl.O.P.No.1107 of 2014:-

Dr.G.Illangovan

... Petitioner

vs.

1.Arivalagan @ Arun

2.Ganesh Prabu

3.Dinesh

4.State by:

Inspector of Police

R.7, K.K.Nagar Police Station

K.K.Nagar

Chennai-600 078.

(Cr.No.21 of 2014)

... Respondents

Prayer in Criminal Original Petition No.1107 of 2014 filed under Section 439(2) of Cr.P.C. to cancel the bail order granted in favour of respondents 1 to 3/accused by the learned Chief Metropolitan Magistrate (Incharge), Egmore, Chennai, in Crl.M.P.No. 170 of 2014, dated 10.01.2014 and commit them to judicial custody.

For Petitioner : Mr.R.Rajiv Gandhi

For Respondents : Mr.M.Jothikumar
for R.1 to R.3
Mr.M.Mohamed Riyaz
Government Advocate
(Criminal Side) for R.4

Crl.O.P.No.3010 of 2014:-

Dr.G.Illangovan

... Petitioner

vs.

1.Dr.Gokul @ Gokulakrishnan

2.State by:

Inspector of Police
R.7, K.K.Nagar Police Station
K.K.Nagar
Chennai-600 078.
(Cr.No.21 of 2014)

... Respondents

Prayer in Criminal Original Petition No.3010 of 2014 filed under Section 439(2) of Cr.P.C. to cancel the bail order granted in favour of 1st respondent/accused No.1 by the learned Chief Metropolitan Magistrate, Egmore, Chennai, in CrI.M.P.No. 376 of 2014, dated 27.01.2014 and commit him to judicial custody.

For Petitioner : Mr.R.Rajiv Gandhi

For Respondents : Mr.L.Mahendran
for R.1
Mr.M.Mohamed Riyaz
Government Advocate
(Criminal Side) for R.2

CrI.O.P.No.3023 of 2014:-

Dr.G.Illangovan

... Petitioner

vs.

1.Hariharan

2.C.V.Sathishkumar

3.T.William Alexander

4.Jayant

5.State by:

Inspector of Police
R.7, K.K.Nagar Police Station
K.K.Nagar
Chennai-600 078.
(Cr.No.21 of 2014)

... Respondents

Prayer in Criminal Original Petition No.3023 of 2014 filed under Section 439(2) of Cr.P.C. to cancel the bail order granted to the respondents 1 to 4/accused by the learned Chief Metropolitan Magistrate, Egmore, Chennai, in CrI.M.P.No. 377 of 2014, dated 27.01.2014 and commit them to judicial custody.

For Petitioner : Mr.R.Rajiv Gandhi

For Respondents : Mr.M.Jothikumar
for R.1 to R.4

Mr.M.Mohamed Riyaz
Government Advocate
(Criminal Side) for R.5

* * *

COMMON O R D E R

The accused in Cr.No. 21 of 2014 on the file of the Inspector of Police, K.K.Nagar Police Station, Chennai, were arrested, for the alleged offences under Sections 147, 148, 448, 341, 323 and 506 (ii) of IPC read with Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 1998 and Section 3 of the Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992. The learned Chief Metropolitan Magistrate, Egmore, Chennai, in CrI.M.P.Nos. 170 of 2014, 376 of 2014 and 377 of 2014, by orders dated 10.01.2014, 27.01.2014 and 27.01.2014, granted bail to the accused. Seeking to cancel the same, the petitioner, who is the defacto complainant, has come up with these petitions.

2. Mr.R.Rajiv Gandhi, learned counsel appearing for the petitioner/defacto complainant would submit that all the accused entered into his residence, threatened him and attacked him and his family members, thereby, caused injuries to them and also damaged the vehicles. He would further add that the offences alleged against the accused are serious in nature and hence, the defacto complainant has filed these petitions seeking to cancel the bail granted to the accused.

3. Mr.M.Mohamed Riyaz, learned Government Advocate [Criminal Side] would bring to the notice of this Court that on completion of the investigation, charge sheet was filed and it was taken on the file of the learned Chief Metropolitan Magistrate, Egmore, Chennai and the case was assigned C.C.No.1298 of 2015 and it was posted on 16.02.2016, for questioning of the accused.

4. Having regard to the above submission of the learned Government Advocate (Criminal Side), in my considered opinion, nothing survives for consideration in these petitions. Hence, I am not inclined to cancel the bail granted to the accused. Hence, the orders passed by the learned Chief Metropolitan Magistrate, Egmore, Chennai, in CrI.M.P.Nos. 170 of 2014, 376 of 2014 and 377 of 2014, dated 10.01.2014, 27.01.2014 and 27.01.2014, stand confirmed. Recording the submission of the

learned Government Advocate (Criminal Side), these Criminal Original Petitions are dismissed.

-s/d-
Assistant Registrar (CSIII)
dt:22/01/2016

True Copy

Sub-Assistant Registrar

To

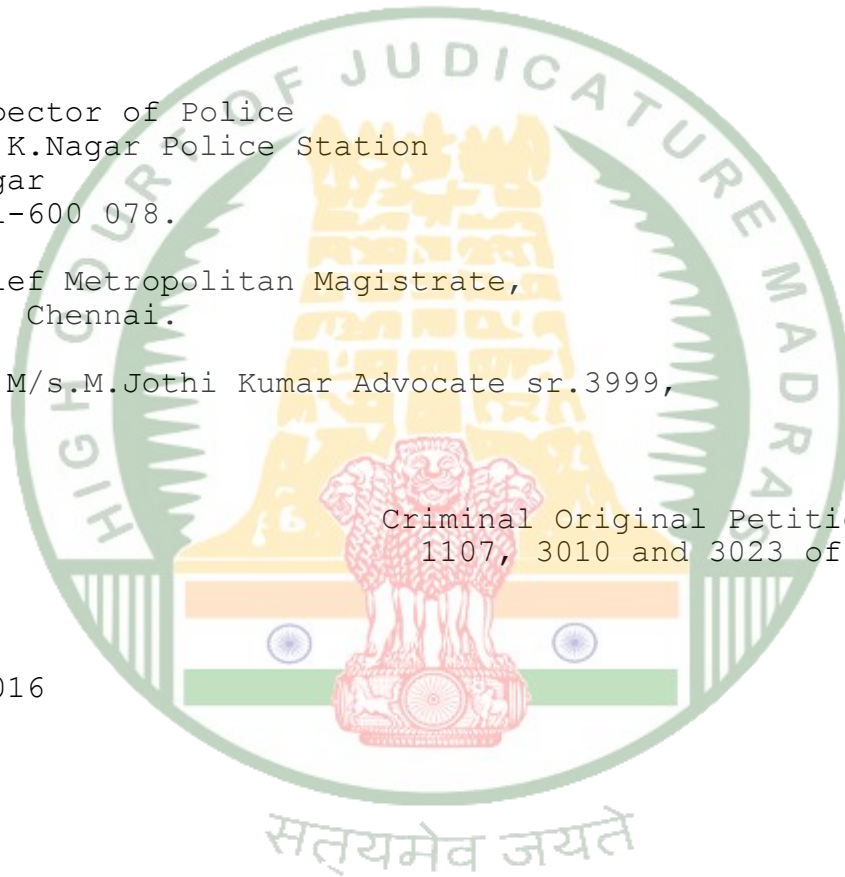
1.The Inspector of Police
R.7, K.K.Nagar Police Station
K.K.Nagar
Chennai-600 078.

2.The Chief Metropolitan Magistrate,
Egmore, Chennai.

+3 ccs to M/s.M.Jothi Kumar Advocate sr.3999,
4000,3998

Criminal Original Petition Nos.
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aa22/01/2016



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