

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.06.2016

CORAM

THE HONOURABLE MR. JUSTICE S.VAIDYANATHAN

CRL.O.P. No.20255 of 2015

Palanisamy

.. Petitioner

Versus

1. Ravi @ Ravichandran

2. State rep. by

The Inspector of Police,
Vettaikaraniruppu Police Station,
Nagapattinam District.

.. Respondents

PRAYER : Criminal Original Petition filed under Section 439(2) of Code of Criminal Procedure, to cancel the bail granted in Crl.M.P.No.1525 of 2015 order dated 26.06.2015 on the file of the Learned District and Sessions Judge, Nagapattinam and pending investigation on the file of the second respondent.

For Petitioner :Mr.M.Govindaraju

For 2nd Respondent :Mr.K.Prabakar
Government Advocate (Crl.
Side)

O R D E R

This petition has been filed for cancellation of bail granted to the first respondent by the District and Sessions Judge, Nagapattinam in Crl.M.P.No.1525 of 2015 order dated 26.06.2015.

2. The learned counsel for the petitioner submitted that the anticipatory bail was granted to the first respondent based on his submission that the victim has been discharged from the hospital and by misleading the Court, anticipatory bail has been obtained by him. But, the injured has been discharged from the hospital only on 03.08.2015.

3. Though notice has been served on the first respondent and proof of service has also been filed, there is no representation for the first respondent.

4. Based on the representation of the learned counsel for the first respondent that the victim has been discharged from the hospital, anticipatory bail was granted to him by the District and Sessions Judge, Nagapattinam.

5. Learned counsel for the petitioner in the cancellation bail petition submitted that by misleading the Court anticipatory bail has been obtained by the first respondent. In fact, the injured was admitted in the hospital on 20.06.2015 and discharged from the hospital only on 03.08.2015 as could be seen from the Discharge Summary issued by the Medical College Hospital, Thanjavur and that anticipatory bail was granted to the petitioner only on 26.06.2016.

6. Taking note of the submissions of the learned counsel for the petitioner, the anticipatory bail granted to the first respondent in Crl.M.P.No.1525 of 2015, on 26.06.2015 by the District and Sessions Judge, Nagapattinam is cancelled and this cancellation bail petition is allowed.

7. The accused/first respondent is directed to surrender before the concerned Magistrate forthwith, failing which, the police shall arrest and remand him to custody.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
Vettaikaraniruppu Police Station,
Nagapattinam District.
2. The Public Prosecutor,
High Court of Madras,
Chennai - 600 104.
3. The District and Sessions Judge,
Nagapattinam.
4. The District Munsif Cum Judicial Magistrate,
Vedoranyam.

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srg 20/07/2016