

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.04.2016

CORAM:

THE HON'BLE DR.JUSTICE P.DEVADASS

CRL.R.C.No.594 of 2016

and

CrI.M.P.No.4125 of 2016

Rahim @ Abdul Rahim

.. Petitioner/A1

vs.

State rep.by

The Inspector of Police
Coonoor Town Police Station
Nilgiris District.

... Respondent

Criminal Revision Case filed under Section 397 read with Sec. 401 of Cr.P.C against the order dated 28.03.2016 passed by the learned Sessions Judge, Nilgiris, Udhagamandalam in C.M.P.No.104 of 2016 in C.M.P.No.557 of 2015.

For Petitioner : Mr.V.Rajamohan

For Respondent : Mr.V.Arul

Government Advocate
(CrI.side)

O R D E R

The revision by the accused is challenging the cancellation of his bail vide order dated 28.03.2016 passed by the learned Sessions Judge, Udhagamandalam in C.M.P.No.104 of 2016

2. Heard both sides.

3. As per the terms and conditions of the bail order passed by the learned Sessions Judge, Udhagamandalam in C.M.P.No.557 of 2015, the petitioner has to appear before the respondent police daily at 10.00 a.m., until further orders. However, on 25.09.2015, he did not appear. So on the application of the police, the trial court by the impugned order cancelled the bail and directed issuance of NBW.

4. The petitioner adduced reasons for his absence on account of his health condition and also filed the medical records.

5. In the circumstances, an opportunity has to be given to the petitioner to comply with the bail condition, until it is otherwise ordered by the Sessions Court.

6. Ordered as under:

(i) The impugned bail cancellation order passed by the learned Sessions Judge, Udhagamandalam in C.M.P.No.104 of 2016 dated 28.03.2016 is set aside.

(ii) The bail granted to him in C.M.P.No.557 of 2015 dated 27.08.2015 is revived.

(iii) On his filing a recall petition either by appearing in person or through a learned counsel, the learned Sessions Judge, Udhagamandalam will recall the NBW.

(iv) With effect from 11.04.2016, the petitioner will appear before the respondent police daily at 10.30 am. until further orders.

(v) The learned counsel on record, who has appeared for him today, will inform the petitioner the coming into effect of this order.

7. Accordingly, Criminal Revision is allowed. Consequently the connected miscellaneous petition is closed.

vj2

-s/d-

Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

To

1. The Sessions Judge,
Udhagamandalam
2. The Public Prosecutor
High Court,
Madras.
3. The Inspector of Police
Coonoor Town Police Station
Nilgiris District.

+ 1 cc to Mr.N.Mohideen Basha, Advocate SR 22253

(co)

prk7/4

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