

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2016

CORAM

THE HONOURABLE MR. JUSTICE G.CHOCKALINGAM

Cr1.R.C.No.911 of 2016

Maheswari

... Petitioner/Petitioner

Vs.

1.The State by,
The Inspector of Police,
All Women Police Station,
Perur, Coimbatore.

2.Rajaram

3.Ayyasami

4.Ammasaiammal ... Respondents/Respondents

Prayer :- Criminal Revision Petition filed under Section 397 r/w 401 of Cr.P.C. to cancel the Anticipatory bail granted in CMP.No.2970 of 2015 on the file of the Principal District and Sessions Judge, Coimbatore on 18.04.2016.

For Petitioner : Mr.S.Ramachandran

For Respondents : Mrs.M.F.Shabana,
Government Advocate (crl.side) for R1
Mr.T.Gowthaman for R2 to R4.

ORDER

The Criminal revision is directed against the order passed by the learned District and Sessions Judge, Coimbatore made in CMP.No.2970 of 2015 dated 18.04.2016, dismissing the application filed by the petitioner for cancellation of bail granted to the respondents 2 to 4/accused.

2.The learned counsel for the petitioner mainly contended that the trial Court without considering the facts and circumstances of the case granted anticipatory bail to the respondents 2 to 4 as against the provisions of Section 438 Cr.PC. The respondents/accused stated that they are ready to compromise the matter, but in violation to the undertaking

interim bail was granted to the respondents/accused. In the final order, the trial Court had failed to mention about the undertaking given by the respondent for compromise, hence, the trial Court erroneously granted anticipatory bail. The learned counsel prays to set aside the order of the trial Court and to allow the revision petition.

3. Heard the rival submissions made on both sides and perused the records.

4. This Court perused the entire records, the trial Court after considering the facts and circumstances granted anticipatory bail to the petitioner on 04.11.2015, itself. The main ground alleged on the side of the defacto informer/petitioner is after obtaining anticipatory bail the respondents/accused have threatened the petitioner to withdraw the complaint over mobile phone. Hence, the anticipatory bail granted to the respondents has to be cancelled in this case. The petitioner failed to produce any materials to prove the above facts as alleged in the complaint. Further, the petitioner has not taken any steps to prefer complaint before the police for allegedly threatening the petitioner by the accused. In the above circumstances, there is no sufficient reasons stated on the side of the petitioner to cancel the anticipatory bail granted to the respondents. This Court finds there is no illegality or infirmity in the order passed by the trial Court in dismissing the petition filed by the petitioner and the same does not warrant any interference by this Court.

5. In the result, the criminal revision petition stands dismissed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal District and Sessions Judge,
Coimbatore.

2. The Public Prosecutor,
High Court, Madras.

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GJ(CO)
CA(06/10/2016)