

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.07.2016

CORAM

THE HONOURABLE MR. JUSTICE S.VAIDYANATHAN

CRL.O.P. No.6174 of 2016

B.Kumar .. Petitioner

Versus

1.State rep.by
The Inspector of Police,
Karuveppilankurichi Police Station,
Cuddalore District.
(Crime No.132 of 2015)

2.Anandhan .. Respondents

PRAYER : Criminal Original Petition filed under Section 439(2) of Code of Criminal Procedure, to cancel the Anticipatory bail granted to the 2nd respondent by the Learned Principal Sessions Judge, Cuddalore in Cr.MP.No.2163 of 2015 in Crime No.132 of 2015 on the file of the 1st respondent police.

For Petitioner	:	Mr.S.Kumara Devan
For Respondents	:	Mr.C.Ayyapparaj Government Advocate (Crl. Side)

ORDER

This petition has been filed for cancellation of Anticipatory bail granted to the 2nd respondent by the Learned Principal Sessions Judge, Cuddalore in Cr.M.P.No.2163 of 2015 in Crime No.132 of 2015 on the file of the 1st respondent police.

2. The Vacation Sessions Judge, Cuddalore has granted bail to the petitioner by an order in C.M.P.No.2163 of 2015, dated 20.05.2015. The said Order was sought to be corrected by filing a petition and the regular Court modified the order to one of Anticipatory Bail instead of bail by an order in C.M.P.No.3017 of 2016 dated 21.07.2015 and a fresh order copy has been issued on the very same day.

3. The grievance of the petitioner in the cancellation anticipatory bail petition is that suppressing this fact, the respondent is enjoying the benefits of the order for a period of two months and only after two months he sought to file modification application and he is not entitled to any indulgence of this Court. According to the respondent in the cancellation bail petition, he has already complied with the order.

4. Taking note of the fact that there is a typographical error committed in the order of the Vacation Court, which has been rectified on 21.07.2015 and that the petitioner has complied with the order, the cancellation bail petition is closed. In case, the petitioner herein feels that the respondent herein has suppressed the earlier court order and enjoying the benefit of the earlier order dated 20.05.2015 and no further investigation has been conducted by the police, it is open to the petitioner to file appropriate petition before the Court for necessary action against the respondent.

18.07.2016

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Index : Yes / No

Internet : Yes / No

To

1. The Inspector of Police,
Karuveppilankurichi Police Station,
Cuddalore District.
2. The Public Prosecutor,
High Court of Madras,
Chennai - 600 104.

S.VAIDYANATHAN, J.

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