



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Thirteenth day of July Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL MP (MD) No.4930 of 2016

IN

CRL OP (MD) No.4556 of 2016

MARGARET SOPHIA

... PETITIONER/DEFACTO COMPLAINANT

Vs

STATE REP.BY

1 THE INSPECTOR OF POLICE

KALLIDAIKURICHI POLICE STATION,

TIRUNELVELI DISTRICT,

TIRUNELVELI,

CRIME NO.216/2014.

... RESPONDENT/COMPLAINANT

2 CHELLA PANDIAN

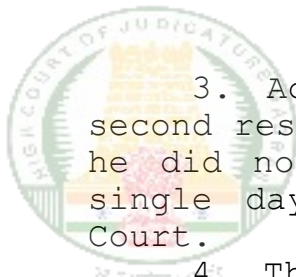
... 2nd RESPONDENT/ACCUSED

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to cancel the Anticipatory Bail made in Crl. O. P. (MD) No. 4556 of 2016 dated 16.03.2016 and pass such further or other orders as this Honourable Court may deem fit and proper in the circumstances of the case.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S S.KRISHNAN, Advocate for the petitioner and of MR.K.ANBARASAN, Government Advocate (Crl.side) on behalf of the first Respondent and M/S S.PALANI VELAYUTHAM, Advocate for the Second Respondent, the court made the following order:-

This petition has been filed by the petitioner to cancel the anticipatory bail granted by this Court to the second respondent/accused, vide order dated 16.03.2016, in Crl.O.P.(MD) No.4556 of 2016.

2. The second respondent has been charged for the offences punishable under Sections 406, 420, 294(b) and 506(ii) IPC. He filed Crl.O.P.(MD)No.4556 of 2016 for anticipatory bail. This Court, by order dated 16.03.2016 granted anticipatory bail to him on condition that he shall execute a bond for a sum of Rs.10,000/- with two sureties each for a like sum to the satisfaction of the first respondent police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that he shall report before the first respondent police daily at 6.30 p.m., until further orders.



3. According to the petitioner, she came to know that the second respondent/accused executed sureties. However, subsequently, he did not appear before the first respondent police even for a single day and thereby, violated the conditions imposed by this Court.

4. The learned Government Advocate (Criminal side) submitted that the second respondent/accused did not comply with the conditions imposed by this Court even for a single day.

5. Per contra, the learned counsel for the second respondent submitted that due to ill-health, the second respondent was admitted in the hospital and underwent surgery and hospitalised for more than one month and thus, he did not appear before the first respondent police.

6. In view of the fact that the second respondent/accused did not comply with the conditions imposed by this Court, the anticipatory bail granted to him in Crl.O.P.(MD)No.4556 of 2016, dated 16.03.2016, stands cancelled. The Criminal Original Petition is allowed accordingly.

sd/-
13/07/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE, AMBASAMUDRAM, TIRUNELVELI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE, KALLIDAIKURICHI POLICE STATION,
TIRUNELVELI DISTRICT, TIRUNELVELI.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S S.KRISHNAN Advocate SR.No.36313
+1. C.C. to M/S S.PALANI VELAYUTHAM, Advocate SR.No.36315
SMN2

CSL/AAL-MPA/SAR-II/18.07.2016 : 2P/7C

ORDER
IN
CRL MP (MD) No.4930 of 2016
IN
CRL OP (MD) No.4556 of 2016
Date :13/07/2016