



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.10.2016

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CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Cr1.O.P(MD)No.20165 of 2016

P.Udhaya Suriyan

: Petitioner

Vs.

1. Kumar @ Home guard Kumar

2. State rep. by

The Inspector of Police,

B-6, Jaihindupuram Police Station (Law & Order),

Madurai.

(Crime No.592 of 2016)

: Respondent

Prayer: Criminal Original Petition is filed under Section 439(2) of the Criminal Procedure Code praying to cancel the bail order passed by the learned Judicial Magistrate No.IV, Madurai in Cr.M.P.No.3345 of 2016 in Crime No.592 of 2016 on the file of the second respondent police, dated 31.08.2016.

For Petitioner : Mr.S.Thangaraj

For Respondent No.2 : Mr.A.P.Balasubramani,
Government Advocate (Cr1.side).

O R D E R

This petition has been filed praying to cancel the bail order passed by the learned Judicial Magistrate No.IV, Madurai in Cr.M.P.No.3345 of 2016, dated 31.08.2016, in Crime No.592 of 2016 on the file of the second respondent police.

2.It is averred in the petition that the first respondent has been arrayed as an accused in Crime No.592 of 2016 on the file of the respondent police for the offences punishable under Sections 294(b), 506(ii) and 506(ii) and he was arrested and remanded to judicial custody on 26.05.2016. He has moved a petition before the learned Judicial Magistrate No.IV, Madurai in Cr.M.P.No.3345 of 2016 for bail under Section 167(2) Cr.P.C. and the learned Judicial Magistrate No.IV, Madurai, after hearing both sides, granted bail to him with certain conditions vide order dated 31.08.2016.



3.The learned counsel for the petitioner submitted that the first respondent is now detained under Act 14 of 1982 and however he is apprehending life threat from the accused, if he is come out on bail.

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4.The learned Government Advocate (Crl.Side) submitted that the first respondent has complied with the condition regularly and thereafter only he has been taken into custody under Act 14 of 1982.

5.The scope of the petition is very very limited and the first respondent has been granted bail by the learned Judicial Magistrate No.IV, Madurai under Section 167(2) Cr.P.C. and he has complied with the condition regularly and thereafter only he has been detained under Act 14 of 1982. Taking note of the above said facts, this Court is not inclined to entertain this petition to cancel the bail and accordingly, this petition is dismissed.

Sd/

Assistant Registrar(C.S-II)

/TRUE COPY/

Sub Assistant Registrar

To

1.The Judicial Magistrate No.IV, Madurai.

2.The Inspector of Police,
B-6, Jaihindupuram Police Station (Law & Order),Madurai.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER MADE IN
Crl.O.P(MD)No.20165 of 2016
21.10.2016

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