

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.07.2017

Coram:

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.8092 of 2017

K.Muruganandhan

... Petitioner

Vs.

1.The Inspector of Police,
Ariyalur Police Station,
Ariyalur Taluk & District.

2. S.Suresh

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to cancel the bail granted in Crl.O.P.No.1234 of 2017 dated 10.02.2017.

For Petitioner : Mr.P.Srinivasan

For Respondent : Mr.C. Emalias
Additional Public Prosecutor

सत्यमेव जयते
O R D E R

This Criminal Original Petition has been filed seeking to cancel the bail granted in Crl.O.P.No.1234 of 2014 dated 10.02.2017.

2. It is seen that one Suresh was granted anticipatory bail by this Court in Crl.O.P.No.1234 of 2017 on 10.02.2014, for canceling of which the de-facto complainant in Crime No.673 of 2016 is before this Court.

3. Heard the learned counsel for the petitioner/de-facto complainant.

4. The learned counsel for the petitioner submitted that in the anticipatory bail order dated 10.02.2017, Crime Number has been wrongly given as 673 of 2015 instead of 673 of 2016. He has also submitted that in paragraph 4 of the bail order, the de-facto complainant has been referred as Abi Estate, Kolli Hills, Namakkal District. But, whereas, the de-facto complainant is K.Muruganandham. Hence, the learned counsel for the petitioner submitted that true facts were not placed before the learned Judge and that the learned Judge has granted anticipatory bail mistakenly.

5. This Court gave anxious consideration to the submissions made by the learned counsel for the petitioner/de-facto complainant.

6. As regards the error in Crime Number, it is too insignificant for cancelling the anticipatory bail. As regards error in the name of the de-facto complainant, this Court finds that the amount of money that is said to have been misappropriated by Suresh as found in the FIR in Crime No.673 of 2016 given by the de-facto complainant is Rs.4,16,000/-. Even in the order dated 10.02.2017, the learned Judge has referred to Rs.4,16,000/- being the amount that is said to have been misappropriated by Suresh. The learned Judge further stated that the matter refers to verification of account books and ledgers. Thus, the wrong mentioning of the name of the de-facto complainant cannot in no way materially alter the verdict in the facts and circumstances of the present case.

7. In the result, this Criminal Original Petition is devoid of merits and the same stands dismissed.

Sd/-

सत्यमेव जयते
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

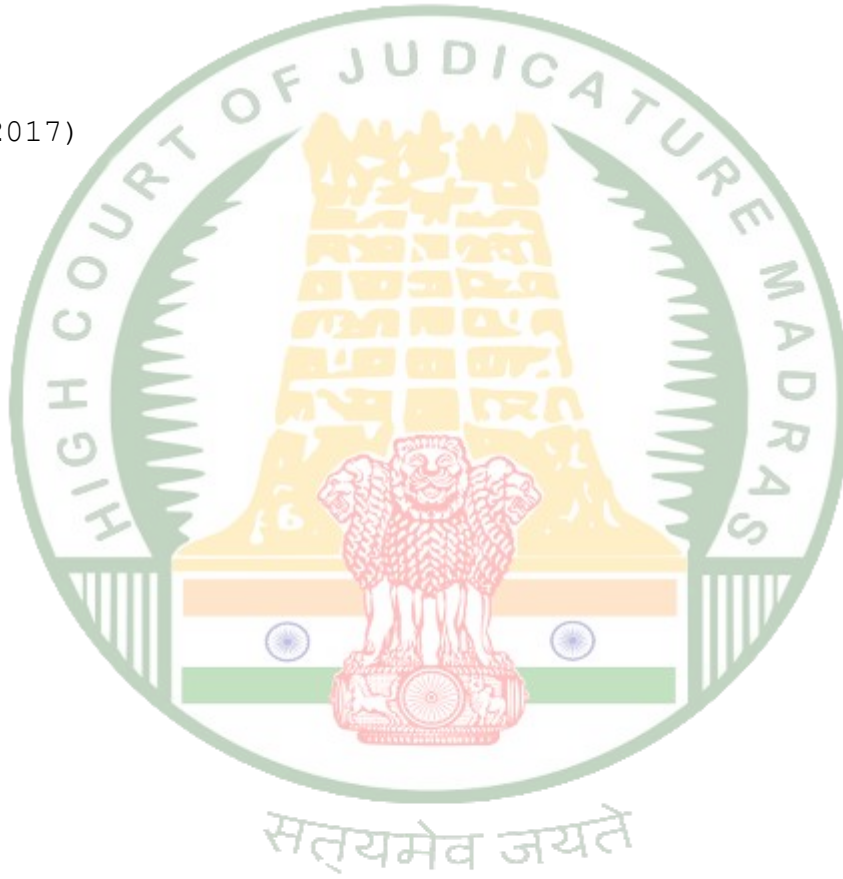
arr/mst

To

1. The Inspector of Police,
Ariyalur Police Station,
Ariyalur Taluk & District.
2. The Additional Public Prosecutor
High Court, Madras

CrI.O.P.No.8092 of 2017

NM(CO)
CU(18/07/2017)



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