

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2017

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

CRL.R.C.No.71 of 2014

Syed Sansullah Bahmani Alias Samiullian

... Petitioner/Defacto
Complainant

Vs.

1. State rep. by
The Inspector of Police,
Central Crime Branch,
Team-I, Egmore, Chennai.

... Respondent/Complainant

2.S.Govindarajan @ John

... Respondent/Accused-2

Criminal Revision Case filed under Sections 397 and 401 of the Code of Criminal Procedure Code against the order dated 09.08.2011 made in Crl.M.P.No.3370 of 2011 and cancel the bail granted to the second respondent.

For Petitioner : Mr.C.Rajasekaran

For Respondent-1 : Mr.R.Ravichandran,
Govt. Advocate (Crl.Side)

For Respondent-2 : Mr.K.Krishnan

ORDER

Against the order passed by the court below dismissing the petition seeking to cancel the bail granted to the second respondent herein, the present revision has been preferred by the petitioner/defacto complainant.

2. The second respondent is an accused in Crime No.453 of 2009 for an offence under Section 420 r/w 34 of IPC on the file of the Chief Metropolitan Magistrate Court, Egmore, Chennai. On 14.06.2011, the second respondent was granted bail by this Court in Crl.M.P.Nos.2290 & 2291 of 2011 with a condition to surrender his passport. Subsequently, the petitioner filed a petition in Crl.M.P.No.3601 of 2011 seeking to return his passport on the ground that he wanted to attend a meeting in USA and Canada, considering the same, vide order dated 12.08.2011, the Chief Metropolitan Magistrate, Egmore, Chennai has ordered to return the passport of the petitioner for a period of four weeks. However, in the said order, the petitioner was directed to surrender his wife's passport before the court below. It is the contention of the petitioner/defacto complainant that the accused has not complied with the conditions and hence, he filed a petition seeking to cancel the bail granted to the accused. The Trial Court, after perusing the materials, dismissed the said petition. Aggrieved over the same, the present Criminal Revision had been filed.

3. I have heard Mr.C.Rajasekaran, learned counsel appearing for the petitioner and Mr.R.Ravichandran, learned Government Advocate (Crl.side) for the first respondent. and Mr.K.Krishnan, learned counsel for the second respondent.

4. Learned Government Advocate appearing for the first respondent would submit that the accused/second respondent now has got the passport after fulfilling the above conditions and he had returned to India also. Moreover, the matter is posted for trial on 28.03.2017.

5. In view of the submission made by the learned Government Advocate that the matter is posted for trial on 28.03.2017, and the accused also returned to India, the relief sought for by the petitioner cannot be granted at this stage. Since it is represented that the matter is ready for trial, the Trial Court is directed to dispose of the matter on day to day basis and complete the trial as expeditiously as possible preferably, within a period of three months from the date of receipt of a copy of this order. Hence, this Criminal Revision Case is dismissed.

20.03.2017

Speaking Order/Non-speaking order

Index : Yes/No

smi

V.BHARATHIDASAN, J.

smi

To

1. The Chief Metropolitan Magistrate Court,
Egmore, Chennai.
2. The Inspector of Police,
Central Crime Branch,
Team-I, Egmore, Chennai.
3. The Public Prosecutor,
High Court, Madras.

Crl.R.C.No.71 of 2014

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