

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :28.11.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.22247 of 2017
in
Crl.M.P.No.13059 of 2017

Balaji

.. Petitioner

Vs.

1. State Rep.by
The Inspector of Police,
B1, North Beach police Station,
Broadway, Chennai- 600 001.
Crime No.1145 of 2014

2. The Superintendent of Police,
CBCID, Egmore,
Chennai- 600 008.

3. K.Ayyappan

..Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records in Crl.M.P.No.26076 of 2016 on the file of the VII Metropolitan Magistrate, George Town, Chennai and set aside the order dated 14.06.2016.

For Petitioner : Mr. DR.G.Krishnamurthy

For Respondent 1 : No appearance

For Respondent 2 : Mr. C.Iyyapparaj
Additional Public Prosecutor

ORDER

This prayer sought for the in the petition is to call for the records in Crl.M.P.No.26076 of 2016 on the file of the VII Metropolitan Magistrate, George Town, Chennai and set aside the order dated 14.06.2016.

2. Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor appearing on behalf respondents.

3. One of the reason assigned by the learned counsel for the petitioner is that he did not comply with the bail conditions. Today, when the matter was called, the learned counsel appearing for the petitioner submitted that he is willing to co-operate with the investigation and if there is any other condition imposed while granting bail, the same would be strictly complied with.

4. In view of the submission made by the learned counsel for the petitioner and also taking note of the fact that the present investigation has been transferred to the CBCID, it would be appropriate to direct the petitioner to report before the concerned Inspector of Police dealing with Crime No.1145 of 2014, which was pending before the Inspector of Police, B1 North Beach Police Station, Broadway, Chennai -600001, for the purpose of completing the investigation.

5. In the result, this Criminal Original Petition stands allowed and the order dated 14.06.2016 passed in CrI.M.P.No.26076 of 2016 by the VII Metropolitan Magistrate, George Town, Chennai is set aside.

6. Consequently the earlier anticipatory bail granted in CrI.O.P.No. 26076 of 2014 dated 20.10.2014 is reviewed with the following conditions:

a) the Petitioner shall report before the Inspector of Police, CBCID, Chennai who is investigating into Crime No. 1145 of 2014 on the file of the Inspector of Police, daily at 10.30 am for the period of 15 days and thereafter as and when required.

b) The petitioner shall execute a bond for a sum of Rs.10,000/- along with two sureties for the like sum to the satisfaction of the Inspector of Police, CBCID, Chennai.

c) The petitioner shall surrender before the learned jurisdictional magistrate within a period of 10 days from the date of receipt of a copy of this order.

Since the complaint is pending from the year 2014 onwards, it would be appropriate to direct the Inspector of Police, CBCID, Chennai to complete the investigation and file a final report/ charge sheet within a period of three months from the date of receipt of a copy of this order.

Consequently, connected miscellaneous petition is closed

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

aav/nl

To

1. The VII Metropolitan Magistrate,
George Town, Chennai.
2. The Inspector of Police,
B1, North Beach police Station,
Broadway, Chennai- 600 001.
Crime No.1145 of 2014
3. The Superintendent of Police,
CBCID, Egmore,
Chennai- 600 008.
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.Solomon Peter, Advocate, S.R.No.84948

Cr1.O.P.No.22247 of 2017

RRK(14/12/2017)

WEB COPY