



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

Friday, the Seventeenth day of March Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL MP (MD) No.3623 of 2016
IN
CRL OP (MD) No.8338 of 2009

P.VIJAYALAKSHMI KUNJAMMA

... PETITIONER/NON-PARTY

Vs

1 RAVEENDRAN UNNITHAN
NEPHEW OF EASWARA KURUP,
AZHAKATHU LEKSHMI BHAVAN,
CHAVARA SOUTH, KOLLAM STREET,
KERALA STATE

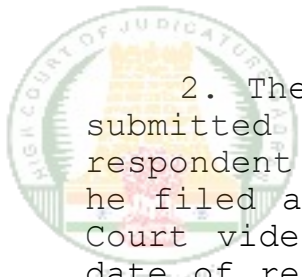
2 THE STATE, THROUGH THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
KANYAKUMARI DISTRICT,
NAGERCOIL,
KANYAKUMARI DISTRICT
CR. NO.444/2009

... RESPONDENT/4TH PETITIONER
AND RESPONDENT

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 granted to the 1st respondent by its order dated 9.10.2009 in MP(MD).No.2 of 2009 in Crl.O.P.(MD). No.8338 of 2009 on its file the time stipulated wherein was extended by this Honourable Court by its order dated 24.11.2009 in the said Crl.O.P. and consequent order dated 9.12.2009 of the court of the learned Judicial Magistrate No.1 Nagercoil in C.M.P.No.4738 of 2009 on its file directing that he be arrested and committing him to custody.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S K.N.THAMPI, Advocate for the petitioner and of MR.H.VELAVADASS, Advocate for the Respondent no.1 and MRS.S.PRABHA Government Advocate (Crl.Side) for the Respondent No.2 the court made the following order:-

This petition has been filed by the petitioner, seeking to cancel the anticipatory bail granted by this Court, to the first respondent/A-1, vide order dated 09.10.2009 in Crl.O.P(MD)No.8338 of 2009.



2. The learned counsel appearing for the petitioner vehemently submitted that after obtaining anticipatory bail, the first respondent did not surrender before the Court below and thereafter, he filed a extension petition in M.P(MD)No.2 of 2009, wherein this Court vide order dated 19.11.2009 granted two weeks time from the date of receipt of a copy of that order. But the first respondent surrendered before the learned Magistrate only on 09.12.2009 and the learned Magistrate has also accepted the surrender and released him on bail pursuant to the above said anticipatory bail granted by this Court. Thereafter, the first respondent is misusing the anticipatory bail granted to him and attempting to destroy and destruct the properties of the Trust and therefore, the anticipatory bail granted to the petitioner may be cancelled.

3. Today when the matter is taken up for hearing, the learned Government Advocate(Crl. Side) on instructions submitted that in this case investigation was completed and charge sheet was filed and the same was taken on file in C.C.No.164 of 2012 by the learned Judicial Magistrate, Eraniel.

4. In view of said submission, this petition is dismissed and the first respondent/A-7 is directed to appear before the Court concerned on the hearing dates as soon summons are served on him.

sd/-

17/03/2017

/ TRUE COPY /

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

PM

TO

1 THE JUDICIAL MAGISTRATE NO.I NAGERCOIL

2 THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI AT NAGERCOIL

3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, KANYAKUMARI DISTRICT,
NAGERCOIL.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S K.N.THAMPI Advocate SR.No.15616

SM/BS/SAR-2-8/5/17-2P-6C

ORDER

IN

CRL MP (MD) No.3623 of 2016

IN

CRL OP (MD) No.8338 of 2009



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Date :17/03/2017