



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.03.2017

CORAM :

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

Crl.O.P(MD).No.2774 of 2017

Mohandass

... Petitioner

vs.

1. Prabhu
2. The Inspector of Police,
Srirangam Police Station (Crime),
Trichy District.
(Crime No.860/2016)

... Respondent

Prayer:- This Criminal Original Petition has been filed under Section 439(2) of CPC to cancel the bail granted to the first respondent / A1 passed by the learned Judicial Magistrate No.III, Trichy in Cr.M.P.No.4525 of 2016 dated 11.07.2016.

For Petitioner	: Mr.K.C. Ramalingam
For R1	: Mr. R. Ramasamy
For R2	: Mr.K.V.Rajarajan
	Government Advocate (Crl.side)

ORDER

This Criminal Original petition has been filed to cancel the bail granted to the first respondent / A1 passed by the learned Judicial Magistrate No.III, Trichy in Cr.M.P.No.4525 of 2016 dated 11.07.2016.

2. The defacto complainant has taken out an application to cancel the bail, on the ground that quantum of cheat is nearly Rs.45,45,000/-, whereas the trial Court has granted bail on condition to deposit a sum of Rs.5,00,000/- only.

3. The case of the petitioner, defacto complainant is that the accused should be directed to deposit the entire amount of Rs.45,45,000/- as per the complaint. This Court seen no latch in the submission made by the defacto complainant.

<https://hcservices.ecourts.gov.in/hcservices/>

4. It is for the prosecution to find out whether really the defacto complainant has potentially to pay a sum of Rs.45,45,000/-



and whether the amount was paid to the accused for securing medical college sheet, these facts are out come of investigation and Court cannot pre conclude and direct the accused to pay the entire amount as pre- condition for trial.

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5. Accordingly, the Criminal Original petition is dismissed.

Sd/-

Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate No.III, Trichy.
2. The Inspector of Police,
Srirangam Police Station (Crime),
Trichy District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.K.C.RAMALINGAM, ADVOCATE IN SR No. 17712
+ 1 CC TO Mr.R.RAMASAMY, ADVOCATE IN SR No. 17524

TRP

TE/SKN-RSK : 10/04/2017 : 2P/6C

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