



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.11.2017

CORAM:

WEB COPY

**THE HONOURABLE MR. JUSTICE A.M.BASHEER AHAMED**

Cr1.R.C.(MD)No.819 of 2017

Rengasamy

... Petitioner/Respondent

**Vs.**

State represented by  
The Sub-Inspector of Police,  
Thiruvengadam Police Station,  
Tirunelveli District.  
(Crime No.160 of 2017)

... Respondent/Petitioner

**PRAYER:** The Petition filed under Section 397 r/w 401 of Cr.P.C. to call for the records in Cr.M.P.No.4908 of 2017 on the file of the Principal Sessions Judge, Tirunelveli and set-aside the order dated 01.11.2017.

For Petitioner : Mr.R.J.Karthick  
For Respondent : Mr.T.Mohan,  
Additional Public Prosecutor

**ORDER**

This Criminal Revision has been filed to call for the records in Cr.M.P.No.4908 of 2017 on the file of the Principal Sessions Judge, Tirunelveli and set-aside the order dated 01.11.2017.

2.The learned counsel for the petitioner is present and he has filed additional typed set of papers today.

3.Heard Both sides.

4.The petitioner herein is the accused in Crime No.160 of 2017 on the file of the respondent police. He was granted the anticipatory bail by the learned Principal Sessions Judge in Cr.M.P.No.3906 of 2017 on 22.08.2017 directing the petitioner to appear and sign before the learned Judicial Magistrate No.1, Nagercoil daily once i.e., at 10.30 a.m. until further orders. Subsequently, the said condition was modified as per the order dated 15.09.2017 in Cr.M.P.No.4252 of 2017 directing the petitioner to appear before the respondent police. Since the petitioner failed to appear before the respondent police between 25.09.2017 to



10.10.2017, cancellation of bail was filed and accordingly, the bail was cancelled by the Court below on 01.11.2017 on the petition moved by the respondent police after issuing show cause notice to the petitioner herein.

5. The learned Additional Public Prosecutor appearing for the respondent would submit that investigation is still pending and he has not raised any serious objection in granting bail to the petitioner.

6. Considering the facts and circumstances of the case and the reasons assigned for the absence of the petitioner before the respondent police and also the charges levelled against the petitioner herein, this Court is inclined to recall the order dated 01.11.2017 passed by the Court below in Cr.M.P.No.4908 of 2017. As the investigation is not completed, the petitioner is directed to appear before the respondent police as and when required.

7. Accordingly, this Criminal Revision Case is allowed.

Sd/-

Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar

**To**

1. The Principal Sessions Judge,  
Tirunelveli.
2. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.
3. The Sub-Inspector of Police,  
Thiruvengadam Police Station,  
Tirunelveli District.

+ 1 CC TO Mr.R.J.KARTHICK, ADVOCATE IN SR No. 86770

VSA

TE/JC/SAR-1 : 30/11/2017 : 2P/5C

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