

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 22.11.2018
CORAM:
THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN
CRL.O.P.No.19196 of 2015

R.Renuka

... Petitioner

Versus

1.G.Rajkishor

2.The Assistant Commissioner of Police,
Anti Land Grabbing Cell,
Coimbatore.

3.The Inspector of Police,
Anti Land Grabbing Cell,
Coimbatore.

... Respondents

Criminal Original Petition filed under Section 439(2) of Criminal Procedure Code, praying to cancel the Anticipatory Bail granted to the first respondent dated 16.04.2015 made in Crl.O.P.No.13410 of 2014 on the file of this Court.

For Petitioner : Mr.S.B.Kumarasamy

For Respondent : Mrs.M.Prabhavathi
Additional Public Prosecutor for R1&R2

For R1 : No Appearance

O R D E R

This petition has been filed for cancelling the Anticipatory Bail granted to the first respondent by an order dated 16.04.2015 made in Crl.O.P.No.13410 of 2014 on the file of this Court.

2. The learned counsel for the petitioner would submit that though this Court granted an Anticipatory Bail to the first respondent by order dated 16.04.2015 in Crl.O.P.No.13410 of 2014, the information got under the Right to Information, Act, from the Chief Judicial Magistrate by way of communication letter D.No.2550/2015, dated 29.06.2015 by the petitioner, it reveals that the first respondent did not appear before the concerned Magistrate till date and did not execute any security. Hence, the petitioner filed this petition seeking cancellation of Anticipatory Bail petition.

3. It is seen from the order dated 16.04.2015 that this Court granted Anticipatory Bail to the petitioner in Crl.OP.No.13410 of 2014, which reads as follows:

"6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the Special Court for Anti Land Grabbing Cell, Coimbatore, within a period of 15 days from the date of receipt of a copy of this order, on his executing a bond for sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned or to the satisfaction of the respondent police or the police officer, who intends to arrest and on further condition that the petitioner shall appear before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation."

4. Thus, when this Court specifically directed the first respondent to execute the security within 15 days from the receipt of the order, he did not execute any security, till date.

5. Admittedly, the copy of the order has been received by the first respondent on 24.04.2015. Since, the Anticipatory Bail granted to the first respondent lapsed, due to the passage of time, there is no necessity to cancel the Anticipatory Bail granted to the first respondent.

6. With the above said observations, the Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

klr

To

1.The Assistant Commissioner of Police,
Anti Land Grabbing Cell, Coimbatore.

2.The Inspector of Police,
Anti Land Grabbing Cell,
Coimbatore.

3.The Public Prosecutor,
High Court of Madras, Chennai.

CRL.O.P.No.19196 of 2015

SPD(CO)
rrs 13/12/2018