

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.09.2018

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THE HONOURABLE Mr.JUSTICE M.DHANDAPANI

CRL.R.C.No.922 of 2018

1.M.Murugan
2.M.Muthu

.. Petitioners

Vs

The State rep. by
The Inspector of Police,
R-7, K.K.Nagar Police Station,
Chennai
(Crime No.220 of 2018)

.. Respondent

PRAYER: Criminal Revision petition has been filed under Sections 397 and 401 of the Code of Criminal Procedure, to set aside the order passed by the Principal Sessions Judge, Chennai in Crl.M.P.No.9965 of 2018 dated 16.07.2018.

For Petitioner : Mr.J.William Shakesphere

For Respondent : Mrs.S.Thankira, GA

ORDER

Aggrieved against the order passed in Crl.M.P.No.9965 of 2018 dated by the Principal Sessions Judge, Chennai, the petitioner is before this Court.

2.The case of the petitioner that initially the petitioners herein were implicated in Crime No.220 of 2018 for the offences under Sections 407, 420, 506(ii) IPC. Thereafter, the petitioners moved an anticipatory bail before the Principal Sessions Court, Chennai in Crl.M.P.No.5244 of 2018. On 26.03.2018, the Principal Sessions Judge granted anticipatory bail to the petitioners with condition that the petitioners shall appear before the respondent Police daily at 10.30 a.m. for one month. Since the petitioners did not comply the condition and after filing of the modification petition before the Sessions Court in Crl.M.P.No.7374 of 2018, the Court below by its order, dated 28.04.2018, modified the condition that the

petitioners herein are directed to report before the respondent Police, on every Monday at 10.30 a.m., until further orders. Again, the petitioners herein filed another petition in Crl.M.P.No.7837 of 2018 for modification, the Court below on 09.05.2015, modified the condition that the petitioners are directed to appear before the XXIII Metropolitan Magistrate, Chennai at 10.30 a.m. on all working days for a period of one month. Since the petitioners are not complying with the condition imposed by the Court below, the respondent Police/Law Enforcing Agency filed a Cancellation of Anticipatory Bail in Crime No.5244 of 2018 by way of petition in Crl.M.P.No.9965 of 2018.

3. After considered the submissions of the petitioner, the respondent and the defacto complainant, on 16.07.2018, the Court below allowed the cancellation of bail petition and the anticipatory bail granted to the petitioners herein on 26.03.2018 in Crl.M.P.No.5244 of 2018, is cancelled. As against the cancellation of anticipatory bail, the present revision has been filed.

4. Taking into consideration the several modification petitions filed by the petitioners and since the petitioners are not complying the conditions imposed by the Court below, has cancelled the anticipatory bail granted in Crl.M.P.No.5244 of 2018 dated 26.03.2018. Though the total amount of Rs.14 lakhs invovled in this case, however, on instructions, the learned counsel for the petitioners would submit that to show their bona fide, the petitioners are ready and willing to deposit a sum of Rs.5 lakhs to the credit of Crime No.220 of 2018, to substantiate their claim.

5. Considering the submission made by the learned counsel for the petitioners, this revision is allowed on condition that the petitioners are directed to deposit a sum of Rs.5 lakhs to the credit of Crime No.220 of 2018 on the file of the Principal Sessions Judge, Chennai, for a period of four weeks from the date of receipt of a copy of this order and set aside the order passed in Crl.M.P.No.9965 of 2015 dated 16.07.2018. On failure to deposit the amount within a stipulated time, this petition shall stand dismissed automatically without any further reference to this Court.

Sd/-

Assistant Registrar (CS-IX)

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Sub Assistant Registrar

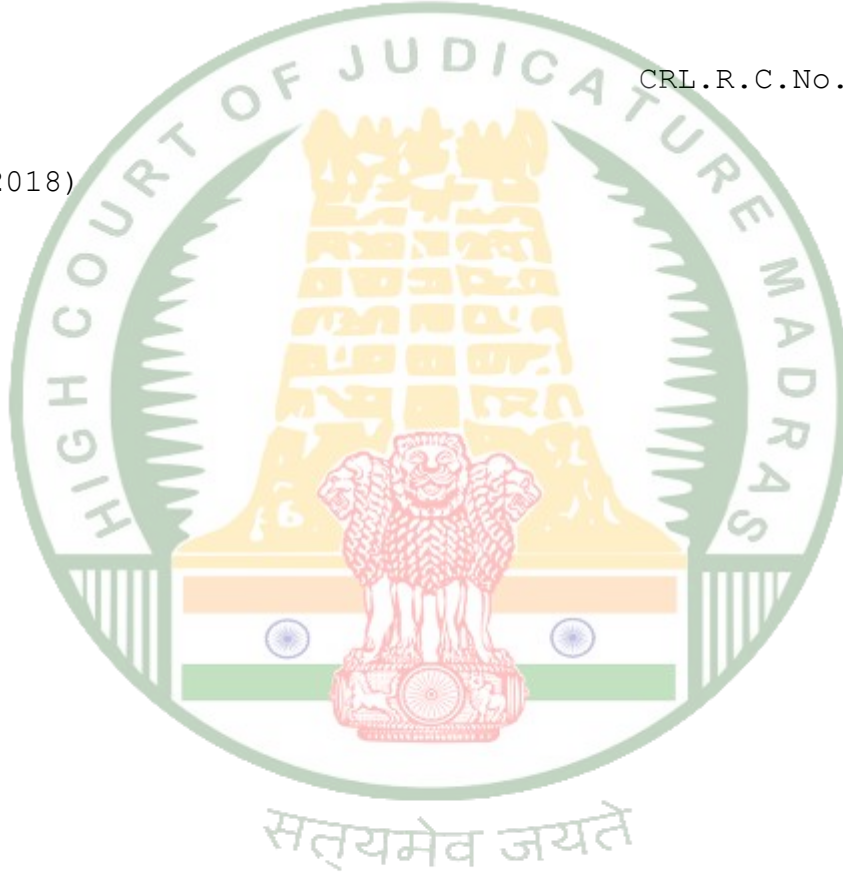
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TO

1. The Principal Sessions Judge, Chennai
2. The Inspector of Police,
R-7, K.K.Nagar Police Station, Chennai.
3. The Public Prosecutor,
High Court, Madras.
4. The Section Officer,
Criminal Section, High Court,
Madras.

CRL.R.C.No.922 of 2018

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