

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.06.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.5539 of 2018

M.Sudhakar

..

Petitioner

Vs

1.State rep. by
The Inspector of Police,
B-1 North Beach Police Station,
Chennai.

2.T.Sreenath

3.T.Sreekanth

.. Respondents

Criminal Original Petition filed under Section 439[2] Cr.P.C., praying for cancellation of bail granted to the respondents 2 and 3 in Crl.O.P.No.18800 of 2017 dated 19.09.2017 for non-complying the conditional order i.e. report before respondent police daily at 10.30 a.m. and 6.30 p.m.

For Petitioner : Mr.N.Senthilvelan

For 1st Respondent : Ms.P.Kritika Kamal, GA [Crl. Side]

For R2 and R3 : Mr.D.Rajagopal

O R D E R

On the complaint given by the de facto complainant, a case in Crime No.1160 of 2017 was registered against the accused under Section 448, 294[b], 323 and 506[i] of IPC. This Court granted anticipatory bail to the accused in Crl.O.P.No.18800 of 2017 on 19.09.2017 on condition, that the accused should appear before the respondent Police everyday at 10.30 a.m. and 6.30 p.m. It is the grievance of the petitioner/de facto complainant that the accused appeared before the respondent Police only in the evening at 6.30 p.m. and that too, only for 13 days and not beyond that. Hence, the de facto complainant has filed the present petition for cancellation of anticipatory bail.

2.Heard the learned counsel for the petitioner/de facto complainant and the learned counsel for the accused.

3. On a perusal of the records, it is seen that initially, this Court had dictated the order to the effect that the accused should report before the respondent Police daily at 10.30 a.m. and 6.30 p.m. Subsequently, on special mention, the said condition has been modified to the effect that petitioner shall report before the VII Metropolitan Magistrate, George Town daily at 10.30 a.m. and before the respondent Police daily at 6.30 p.m. for a period of four weeks. Unfortunately, the de facto complainant was not aware about this modification and that is why, he has filed the present petition for cancellation of anticipatory bail.

4. Taking into consideration the nature of allegations in the FIR, this Court is of the view that this is not a fit case to cancel the anticipatory bail that has been granted to the accused. If the accused causes any further disturbances to the de facto complainant, it is open to the de facto complainant to approach the Police for appropriate action.

In view of the above, this petition stands dismissed.

Sd/-
Assistant Registrar (CS VII)

//True Copy//

Sub Assistant Registrar

gya

To

1. The VII Metropolitan Magistrate,
George Town.

2. The Inspector of Police,
B-1 North Beach Police Station,
Chennai.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr. D. Rajagopal, Advocate sr.no.43969

CRL.OP.No.5539 of 2018

NR 06/07/2018