

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.11.2018

CORAM:

THE HON'BLE MR.JUSTICE M. DHANDAPANI

Crl.O.P.No.22703 of 2018

Sulatha

... Petitioner/
Defacto Complainant

/Vs/

1. M. Selvaganesh
2. M. Jayasuriya
3. The State,

Represented by the Inspector of Police,
G-7, Chetpet Police Station,
Chennai.

... Respondents1&2/Accused/
3rd Respondent/Complainant

Prayer:

Criminal Original Petition filed under Section 439 (2) of CrPC to cancel the Anticipatory Bail granted to the respondents 1&2 herein in Crl.O.P.No.22297 of 2018 vide order dated 17.09.2018.

For Petitioner : Mr.K. Venkatasubban

For Respondents 1&2 : Mr.K. Kannan

For Respondents - 3 : Mr.R. Ravichandran
Government Advocate (Crl. Side)

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O R D E R

The petitioner/Defacto Complainant has filed the present petition to cancel the anticipatory bail granted to the respondents 1&2/accused herein in Crl.O.P.No.22297 of 2018 vide order dated 17.09.2018.

2. The cancellation of bail application is filed only on the ground that the respondents 1&2/accused suppressing the material facts and gave wrong information to the court and obtained anticipatory bail.

3. The learned counsel appearing for the petitioner would submit that the respondents1&2/accused have not mentioned the offences in the anticipatory bail application and obtained anticipatory bail. The anticipatory bail application filed without mentioning the crime number and the offences and obtained anticipatory bail cannot be condoned on any ground. Hence, the anticipatory bail granted by this court dated 17.09.2018 is liable to be cancelled.

4. The learned counsel appearing for the respondents1&2/accused would submit that on oral instructions, the anticipatory bail application was filed. After hearing the arguments of the learned Public Prosecutor, this court had granted anticipatory bail and mentioned the correct offences and the respondents 1&2/accused are complying with the conditions regularly. Thereafter, the respondents 1&2 have filed their relaxation petition i.e., in Crl.M.P.No.13588 of 2018, dated 25.10.2018 and after hearing the same, this court has relaxed all the conditions. Hence, no grounds were raised for cancelling the anticipatory bail granted by this Court on 17.09.2018.

5. Considering the facts and circumstances of the case, I do not find any violation or non complaint against the private respondent to interfere with the order passed by this court dated 17.09.2018 to cancel the anticipatory bail, as according to the learned Public Prosecutor the respondents 1&2/accused are complying with the conditions regularly.

6. In view of the above, I am not inclined to entertain the present petition and the same is dismissed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
G-7, Chetpet Police Station,
Chennai.

2. The Public Prosecutor
High Court,
Madras.

+lcc to Mr.K.Kannan, Advocate sr.no.86570

CrI.O.P.No.22703 of 2018

ad(co)
nr 14/12/2018



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