

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Fifth day of June Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

CRIMINAL MISCELLANEOUS PETITION No.3430 of 2018

IN CRL OP.23636/2016

ABDUL RAZAK,

[PETITIONER]

Vs

1 MR.MANIVANNAPERUMAL,

[RESPONDENT]

2 THE INSPECTOR OF POLICE,
REDDIARPALAYAM POLICE STATION,
PUDUCHERRY.
CR.NO.94 OF 2015.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to restore the Crl.O.P.No.23636 of 2016 by setting aside the order of dismissal passed on 14.09.2017.

Order : This petition coming on for orders upon perusing the petition and the filed in support thereof and upon hearing the arguments of M/S.F.ARIF NAWAZ, Advocate for the petitioner and of MR. BHARATHA CHAKKARAVARTHY, Public Prosecutor, Pondicherry, on behalf of the Respondents the court made the following order:-

The petitioner filed Crl.O.P.No. 23636 of 2016 for cancelling the anticipatory bail that was granted to Manivannaperumal in Crl.O.P.No.29173 of 2015 on 06.01.2016. This petition has been dismissed by this Court on 14.09.2017 for default. Hence, the petitioner has filed the present petition for restoration.

2.In the considered opinion of this Court, there cannot be any restoration in a case of this nature, where it is always open to the petitioner to file an application for cancellation of anticipatory bail, if the same is within the parameters of the law laid down by the Supreme Court in *Abdul Basit @ Raju and Others Vs*

Mohd. Abdul Kadir Choudhury and Another reported in 2014 [11]
SCALE 96.

-sd/-
25/06/2018

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.III, PONDICHERRY

2 THE CHIEF JUDICIAL MAGISTRATE
PONDICHERRY [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
PONDICHERRY

4 THE INSPECTOR OF POLICE,
REDDIARPALAYAM POLICE STATION,
PUDUCHERRY.

C.C. to M/S.F.ARIF NAWAZ Advocate on payment of necessary charges

+1 CC to Government Pleader SR.NO. 11581

Order

in
CRL MP.3430/2018

in
CRL OP.23636/2016

Date :25/06/2018

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