



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.07.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.12581 of 2018

H.Ashok

... Petitioner

Vs.

1. State Represented by
The Inspector of Police,
District Crime Branch,
Dindigul District.

2. K.M.A.Meeran

... Respondents

Prayer: Criminal Original Petition filed under Section 439(2) Cr.P.C. to set aside the order passed by the learned Judicial Magistrate No.II, Dindigul in Cr.M.P.No.4620 of 2018 dated 28.06.2018 and cancel the bail granted to the second respondent herein.

For Petitioner	: Mr.D.Sivaraman
For R1	: Mr.A.Robinson, G.A.(Crl.side)
For R2	: Mr.KA.Raama Krishnan

ORDER

This Criminal Original Petition has been filed for cancelling the bail granted in favour of the second respondent herein.

2.The learned counsel appearing for the petitioner / defacto complainant submitted that even though condition was stipulated to the effect that the accused shall appear before the Police every day at 10.00 a.m., he has not complied with the condition, even a single day.

3.The learned counsel appearing for the second respondent/accused would submit that the second respondent moved an application in this regard before the learned trial Magistrate.

4.The learned counsel appearing for the petitioner/defacto complainant contended that the certificate issued in favour of the



second respondent is not a genuine document and that an enquiry should be conducted in this regard.

5.The learned Judicial Magistrate No.II, Dindigul is directed to verify as to whether the second respondent herein has complied with the condition as stipulated in Cr.M.P.No.4620 of 2018 dated 28.06.2018. Further an enquiry may be conducted to go into the genuineness of the certificate dated 16.07.2018 issued by Shifa Hospital. If it is found to be bogus, there can be no hesitation for the Judicial Magistrate to cancel the order of bail granted in Cr.M.P.No.4620 of 2018, dated 28.06.2018.

6.With these observations, this Criminal Original Petition is closed.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar (CS-II)

To

1. The Judicial Magistrate No.II,
Dindigul.
2. The Inspector of Police,
District Crime Branch,
Dindigul District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

GNS
TE/KAK/SAR-2 : 28/08/2018 : 2P/4C

Cr1.O.P.(MD)No.12581 of 2018
27.07.2018