



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.09.2018

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WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD)No.15695 of 2018

Vignesh

... Petitioner /
De-facto Complainant

Vs.

State represented by
The Sub-Inspector of Police,
District Crime Branch,
Tirunelveli.
(Crime No.9 of 2017)

... Respondent

PRAYER: This Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent to secure the 1st accused namely Mariappan, S/o Alagarsamy Naicker in Crime No.9 of 2017 on the file of the respondent police.

For Petitioner	: Mr.V.Sasi Kumar
For Respondent	: Ms.S.Bharathi, Government Advocate(Crl., side)

O R D E R

This Criminal Original Petition has been filed to direct the respondent to secure the 1st accused namely Mariappan, S/o Alagarsamy Naicker in Crime No.9 of 2017 on the file of the respondent police.

2. Heard learned counsel appearing for the petitioner and learned Government Advocate (Crl.Side) for the respondent and perused the materials placed on record.

3. It is seen from the records that, the first accused viz., Mariappan, S/o Alagarsamy Naicker was granted anticipatory bail by the learned I Additional Sessions Judge (Principal Sessions Judge Incharge), Tirunelveli by order dated 16.07.2018.

4. Subsequently, a petition was filed by the de-facto complainant to cancel the said anticipatory bail. This Court, by order dated 02.08.2018, cancelled the anticipatory bail granted by the learned I Additional Sessions Judge (Principal Sessions Judge Incharge), Tirunelveli on the ground that, the order was passed without jurisdiction and it is inherently illegal. Even subsequent to the cancellation of anticipatory bail, the first accused has not been secured by the respondent police.



5. In view of the cancellation of anticipatory bail granted by this Court, the respondent police is directed to proceed in accordance with law against the accused person, forthwith, if the respondent police finds that the accused person has not obtained any bail before this Court.

6. With the above direction, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar (Writs)

/True Copy/

Sub Assistant Registrar (CS-I)

To:

1. The I Additional Sessions Judge,
Tirunelveli.
 2. The Principal Sessions Judge, Tirunelveli.
 3. The Sub-Inspector of Police,
District Crime Branch,
Tirunelveli.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- + 1 CC TO Mr.V.SASIKUMAR, ADVOCATE IN SR No. 82091

STS
TE/SKN/SAR-1 : 27/09/2018 : 2P/6C

Order made in
Cr1.O.P. (MD) No.15695 of 2018
04.09.2018