

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.04.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.OP No.1326 of 2019

M.Xavier

S/o.Mariyadass

..Petitioner / Defacto complainant

-Vs-

1. Ramu

... Respondent/Accused

2. The Inspector of Police,
V-7, Nolambur Police Station,
Chennai

..Respondent /Complainant

Prayer: Criminal Original petitions have been filed under Section 439(2) of Cr.PC to cancel the order passed in Crl.OP No.19575 of 2018 dated 03.09.2018.

For Petitioner : Mr.S.Santhosh

For Respondent : Mrs.M.Prabhavathi
Additional Public Prosecutor

ORDER

This petition has been filed seeking to cancel the bail granted in favour of the 1st respondent.

2. The name of the 1st respondent was printed in the cause list. The 1st respondent is neither present in person nor represented by his counsel and therefore, this Court is proceeding further to decide this petition based on the materials available on record and after hearing the learned counsel for the petitioner.

3. The learned counsel appearing for the petitioner submitted that this Court while granting anticipatory bail to the 1st respondent by an order dated 03.09.2018, directed the 1st respondent to deposit a sum of Rs.2,,00,000/- to the credit of Crime number, within a period of four weeks from the date of

receipt of copy of that order. This Court also categorically stated that if the deposit is not made within the stipulated time, the bail order shall stand automatically cancelled. This fact is also confirmed by the learned Additional Public Prosecutor appearing on behalf of the 2nd respondent police.

4. In view of the above, the Anticipatory bail granted by this Court by an order dated 03.09.2018 is hereby cancelled and the respondent police is directed to secure the 1st respondent to proceed against him in accordance with law.

5. Accordingly, this Criminal original petition is allowed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The Judicial Magistrate,
Chengalpattu.
- 2.The Chief Judicial Magistrate,
Chengalpattu (for Information)
- 3.The Inspector of Police,
V7, Nolambur Police Station,
Chennai.
- 4.The Public Prosecutor,
High Court, Madras.

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srg 9/5/2019

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