

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 21.03.2019
CORAM:
THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.1179 of 2018

1. Pulagam Sivarama Reddy
2. Konda Srikanth Reddy

... Petitioners/
Defacto Complainant

vs.

1. Madhavan

... 1st Respondent/
Accused

2. State, by the Inspector of Police,
Thirumangalam Police Station,
Thirumangalam,
Chennai - 600 101.
(Crime No.411/2017)

... 2nd Respondent/
Complainant

PRAYER: Criminal Original Petition is filed under Section 439 (ii) of Cr.P.C., to cancel the bail granted to the 1st respondent/accused by order dated 12.04.2017 in Crl.O.P.No.5799 of 2017 and direct the second respondent to initiate due process of law against him.

For Petitioners : Mr.R.Prabhakaran

For R2 : Ms.M.Prabhavathi
Additional Public Prosecutor

ORDER

The criminal original petition has been filed seeking to cancel the bail granted to the 1st respondent/accused by order dated 12.04.2017 in Crl.O.P.No.5799 of 2017 and direct the second respondent to initiate due process of law against him.

2. This Court, while passing the order in Crl.O.P.No.5799 of 2017, dated 12.04.2017 had imposed the following conditions:-

'6. Accordingly, the petitioner is ordered to the released on bail in the event of arrest or on his appearance before the learned X Metropolitan Magistrate Court, Egmore, Chennai, within a period of 10 days from the date of receipt of a copy of this order, on the petitioner executing a bond for a sum of Rs.10,000/-

(Rupees Ten Thousand Only) with two sureties each for a like sum or to the satisfaction of the learned Magistrate concerned, or to the satisfaction of the respondent police or the police officer who intends to arrest and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.''

3. The learned Additional Public Prosecutor, on instructions, submitted that the accused person did not report before the respondent police even on a single day after the anticipatory bail was ordered by this Court.

4. Repeated notices taken by the petitioner have also been returned and the accused person is not traceable till today.

5. In view of the above, this Court is of the considered view that the accused/first respondent has taken advantage of the anticipatory bail order passed by this Court and has absconded thereafter. Therefore, this Court deems it fit to cancel the anticipatory bail granted in favour of the accused/first respondent.

6. This petition is allowed and the anticipatory bail granted in favour of the accused/first respondent is hereby cancelled.

7. The respondent police is directed to take immediate steps to secure the accused persons and act against them in accordance with law.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

msrm
To

1. The Inspector of Police,
Thirumangalam Police Station,
Thirumangalam, Chennai - 600 101.

2. The Public Prosecutor, High Court, Madras.
+1 cc to M/s.R.Prabhakaran, Advocate Sr.No.30699 (29.03.2019)

Cr1.O.P.No.1179 of 2018

CSL/25.03.2019