

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12.06.2019

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.7939 of 2019

A.S.Mahadevan ... Petitioner
Vs.

- 1.State rep by
The Sub-Inspector of Police,
J-1, Saidapet Police Station,
Chennai.
(Crime No.77 of 2019)
2.Neelakannan ... Respondents

PRAYER: Criminal Original Petition filed under Section 439(2) of Cr.P.C., to call for the records in Crl.M.P.No.246 of 2019 on the file learned IX Metropolitan Magistrate, Saidapet and to cancel the Bail granted to the second respondent in Crime No.77 of 2019 on the file of first respondent.

For Petitioner : Mr.E.Raj Thilak

For Respondents

For R1 : Mrs.M.Prabhavathi
Additional Public Prosecutor

For R2 : No appearance

O R D E R

This petition has been filed for cancellation of bail granted to the second respondent by the learned IX Metropolitan Magistrate, Saidapet, Chennai by an order dated 27.02.2019, wherein, bail was granted on condition that the second respondent/accused shall execute a bond for a sum of Rs.1,000/- with two sureties for a like sum and to appear on summons.

2. The learned counsel appearing for the petitioner/defacto complainant would submit that on the complaint given by the petitioner, the first respondent police registered a case in Crime No.77 of 2019 for the offences punishable under Sections 429 of IPC and Section 11(1)(k) of the Prevention of Cruelty to Animals Act, 1960 as against the second respondent herein. Thereafter the second respondent was arrested on 27.02.2019 and

hence he moved bail petition before the learned IX Metropolitan Magistrate, Saidapet, Chennai in CrI.M.P.No.246 of 2019. While, granting bail to the second respondent/ accused, the Court below did not impose any condition on him. The second respondent/ accused has committed very serious offence as against the animals (homeless dogs) and hence he prays to cancel the bail granted to the second respondent/accused.

3. The learned Additional Public prosecutor submitted that since the offences are bailable in nature, the Court below considered the bail petition filed by the second respondent herein by imposing certain conditions. The said conditions were complied with by second respondent and the investigation is still pending.

4. It is seen that the offences are bailable in nature and hence the Court below granted bail to the second respondent/accused by imposing some conditions and the same were complied with by him. This Court finds no merits in this petition to cancel the bail granted to the second respondent/accused. However, considering the facts and circumstances of the case, the second respondent is directed to appear before the first respondent Police daily at 10.30 a.m., for investigation/interrogation for a period of two weeks from the date of receipt of a copy of this order and thereafter as and when required.

5. This Criminal Original Petition is disposed of accordingly.

s/d-
Assistant Registrar (CS VII)

True Copy

Sub-Assistant Registrar

rts/mpa

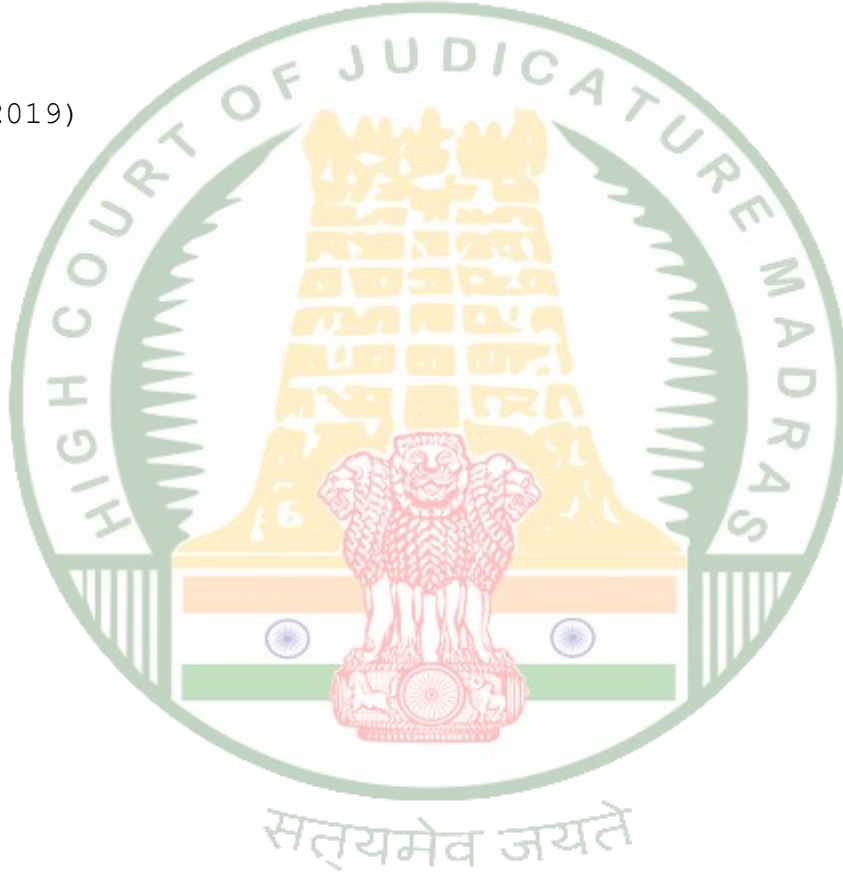
To

1. The IX Metropolitan Magistrate Court,
Saidapet , Chennai
2. Do Thro The Chief Metropolitan Magistrate, Egmore, Chennai 8
3. The Sub-Inspector of Police,
J-1, Saidapet Police Station,
Chennai.

4. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.7939 of 2019

SV(CO)
SP(25/07/2019)



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