

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED : 21.06.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.11937 of 2019

C.Jayaraman

..Petitioner/Defacto Complainant

vs.

1. The State Rep.

By Inspector of Police,  
E-1, Mylapore Police Station,  
Chennai.

2. The Assistant Commissioner of Police,  
Mylapore, Chennai.  
(FIR No.14 of 2017)

3. K.Raja

Respondents/Respondents

[R3 impleaded vide this Court Order  
dated 07.06.2019 made in  
Crl.MP.No.7039 of 2019  
in Crl.O.P.No.11937 of 2019]

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent police to arrest accused Raja in Crime No.14 of 2017 and cancel the Anticipatory bail granted to the accused vide order dated 08.10.2018 passed by this Court in the Crl.O.P.No.15032 of 2018.

For Petitioner : Mr.R.Venkatraman

For Respondents: Mr.M.Mohamed Riyaz  
Additional Public Prosecutor  
for R1 & R2

O R D E R

This petition has been filed for a direction to the respondent police to arrest the 3<sup>rd</sup> respondent on the ground that the anticipatory bail granted by this Court stood automatically cancelled in view of the non-compliance of the condition imposed by this Court.

2. The 3<sup>rd</sup> respondent approached this Court and filed an anticipatory bail petition in CrI.O.P.No.15032 of 2018. This Court by an order dated 08.10.2018 granted anticipatory bail to the 3<sup>rd</sup> respondent subject to the following condition:

(a) The petitioner shall pay a sum of Rs.4,50,000/- (Rupees Four Lakhs and Fifty Thousand only) directly by way of demand draft to the defacto complainant within a period of four weeks from the date of receipt of a copy of this order. If, the petitioner fails to deposit the said amount within the stipulated time, the order shall stand automatically cancelled.

3. The 3<sup>rd</sup> respondent did not comply with this condition and therefore the anticipatory bail granted by this Court stood automatically cancelled.

4. The grievance of the petitioner is that, in spite of the cancellation of anticipatory bail, the respondent police did not take any action to arrest the 3<sup>rd</sup> respondent. Hence, the present petition filed before this Court.

5. Heard the learned counsel for the petitioner and the learned Government Advocate appearing on behalf of the respondent police.

6. In view of the fact that the 3<sup>rd</sup> respondent failed to comply with the condition imposed by this Court and the anticipatory bail granted by this Court stood automatically cancelled, the 1<sup>st</sup> respondent is directed to proceed further and take a decision regarding the arrest of the 3<sup>rd</sup> respondent in the course of the investigation.

7. This Criminal Original Petition is disposed of with the above direction.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Inspector of Police,  
E-1, Mylapore Police Station,  
Chennai.

2. The Assistant Commissioner of Police,  
Mylapore, Chennai.

3. The Public Prosecutor,  
High Court of Madras,  
Madras.

+1cc to Mr.R.Venkat Raman, Advocate, S.R.No.5184

Cr1.O.P No.11937 of 2019

RJI (CO)

RRS (08/07/2019)



WEB COPY