

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.29880 of 2018

Mrs.Niraichelvi

...Petitioner

vs.

1. A.Athimunuswamy

2. K.Nantha Kumar

3. The Inspector of Police,
CCB, Team-18,
Vepery,
Chennai.

...Respondents

Prayer: Criminal Original Petition is filed under Section 439(2) and 482 of Cr.P.C., to set aside the order passed by the Special Court for Exclusive trial of Land Grabbing offences No.II at Chennai in Crl.M.P.No.173 of 2018 by its order dated 03.11.2018 and cancel the bail granted to the 1st and 2nd respondents.

For Petitioner : Mr.B.Damodaran

For Respondent

Nos.1 & 2 : M/s.C.Jayabala

For 3rd Respondent: Ms.M.Prabhavathi

Additional Public Prosecutor

ORDER

This petition has been filed to cancel the bail granted to the 1st and 2nd respondents by the Special Court for Exclusive trial of Land Grabbing offences No.II, Chennai in Crl.M.P.No.173 of 2018 by its order dated 03.11.2018.

2. This Court has received a report from the XIII Metropolitan Magistrate Court, Egmore, dated 27.03.2019, where it is confirmed that the Court below considered the bail petition for both the accused persons and the arguments were advanced even by the prosecution opposing the bail petition

filed by both the accused persons. Therefore, it must be taken that the bail petition was filed for both the accused persons. Records sent from the Court below also shows that the memo of appearance was filed for both the accused persons (A5 and A7).

3. This Court is not able to find any grounds for cancellation of bail and there are no supervening circumstances that impels for cancellation of bail.

4. In the result, this Criminal Original Petition is dismissed and the respondent police is directed to complete the investigation and file a final report within a period of two weeks from the date of receipt of copy of this order.

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Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1. The learned Metropolitan Magistrate,
The Special Court for Exclusive trial of Land
Grabbing Offences No.II, Periyamet,
Chennai-600 003.
2. The Inspector of Police,
CCB, Team-18,
Vepery,
Chennai.
3. The Public Prosecutor,
High Court, Madras.

Kak(13/05/2019)

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