



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/08/2019

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PRESENT

The Hon'ble Mr.Justice P.RAJAMANICKAM

CRL MP(MD) . No.3013 of 2019

in

CRL OP (MD) . No.21087 of 2018

P.Muthu Selvi

... Petitioner/ Intervener

Vs

1. State Rep.by

The Inspector of Police,
All Women Police Station,
Thilagarthidal, Madurai City,
Crime No.21/2018.

... Respondent/ Complainant

2. Ilanthewan Chandran Jeyabalan

3. C.Ramasamy

4. Lilly Ramasamy

... Respondents 2- 4/ Accused 2 -4

For Petitioner : M/s.C.Arockia Selvi,
Advocate.

For R1 : Mr.V.Neelakandan,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

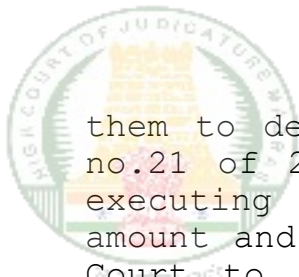
PRAYER :-

To cancel the Anticipatory bail granted to the respondents 2 and 3 & 4 in Crl.OP(MD)No.21087 of 2018 order dated on 22.01.2019 in Cr.No.21/2018.

ORDER : The Court Made the following order :-

This petition has been filed by the defacto complainant to cancel the anticipatory bail which was granted by this Court to the respondents 1 to 3 in Crl.O.P.(MD).No.21087 of 2018 dated 22.01.2019.

2.The learned counsel appearing for the petitioner has submitted that while granting anticipatory bail to the respondents 1 to 3 in Crl.O.P.(MD).No.21087 of 2018 Dated 22.01.2019 has directed



them to deposit a sum of Rs.2,00,000/- to the credit of the Crime no.21 of 2018, before the Additional Mahila Court, Madurai before executing the bail bond. So far they have not deposited the said amount and also executed bail bond and therefore, he requested this Court to cancel the anticipatory bail which was granted to the respondents 1 to 3 by this Court.

3.The learned Additional Public Prosecutor appearing for the fourth respondent has submitted that in pursuance of the order passed by this Court in Crl.O.P.(MD).No.21087 of 2018 dated 22.01.2019, the respondents 1 to 3 have not surrendered before the concerned Court and executed bail bond and also failed to deposit the said amount. He further submitted that the fourth respondent has completed the investigation and filed a charge sheet by showing that the accused persons are absconding and based on the same the trial Court has taken a case on file in C.C.No.609 of 2019 and NBW was issued on 18.07.2019 and the fourth respondent is taking sincere efforts to execute the said NBW.

4.This Court, while granting anticipatory bail to the respondents 1 to 3 in Crl.O.P.(MD).No.21087 of 2019 dated 22.01.2019 in paragraph 7(a) it is clearly stated that if the petitioners failed to surrender before the said Magistrate within a period of 15 days, the said order shall stand automatically cancelled.

5.Taking into consideration of the aforesaid facts and also the submission made by the learned Additional Public Prosecutor that already absconding charge sheet has been filed and the trial Court has also issued NBW against the respondents 1 to 3, this Court is of the view that no specific order need to be passed cancelling the anticipatory bail.

6.Hence, this criminal miscellaneous petition is dismissed.

sd/-
08/08/2019

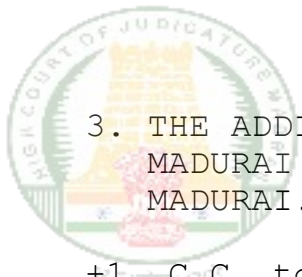
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDGE,
ADDITIONAL MAHILA COURT, MADURAI.

2. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THILAGARTHIDAL, MADURAI CITY.



3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1..C.C. to M/S.C.AROCKIA SELVI Advocate SR.No.81259

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ORDER

IN

CRL MP(MD) No.3013 of 2019 in

CRL OP(MD) . No.21087 of 2018

Date :08/08/2019

MS/VR/SAR-2/21.08.2019/3P.5C