

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Seventeenth day of February Two Thousand Twenty

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.3403 of 2020

C.SRINIVASAN

[PETITIONER / ACCUSED]

Vs

STATE REP. BY INSPECTOR OF POLICE, [RESPONDENT]
P-6, KODUNGAIYUR POLICE STATION (CRIME),
CHENNAI.
(CRIME NO.864 OF 2018).

For Petitioner : M/S. N.SELVARAJAN Advocate

For Respondent : MR.C.IYYAPPARAJ, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offence under Sections 420 and 406 of IPC in Crime No.864 of 2018, on the file of the Inspector of Police, P-6, Kodungaiyur Police Station, (Crime) Chennai, seeks anticipatory bail.

2.On an earlier occasion, this Court granted anticipatory bail to the petitioner in Crl.OP.NO.19557 of 2018 dated 14.09.2018, recording the statement of Undertaking given by the petitioner that the petitioner, without prejudice to his rights, should deposit a sum of Rs.7,00,000/- to the credit of Cr.NO.864/2018 before the learned V Metropolitan Magistrate Court, Egmore at Allikulam, Chennai with a period four weeks from the date of receipt of a copy of that order, failing with the anticipatory bail granted on 14.09.2018, would stand vacated automatically without any further reference to this Court. Since the direction was not complied, the petitioner has filed modification and extension petitions in Crl.MP.NOs.15242 and 15243 of 2018 in Crl.OP.No.19557 of 2018 and this Court by its order dated 16.11.2018, extended the time by another period of 3 weeks from the date of receipt of copy of the order. Even thereafter, the condition imposed by this Court was not complied with and again the petitioner field this anticipatory bail application.

3.The learned counsel appearing for the petitioner submits that though this Court has extended the time by a further period of 3 weeks, even thereafter the petitioner was not able to comply with the condition, and, hence the present anticipatory bail is filed.

4. The factual matrix of the issue, from the sequence of events, as narrated above, which has ultimately culminated in the filing of the present petition for grant of anticipatory bail, clearly reflects the callous and indifferent attitude of the petitioner to the various orders passed by this Court. The attitude of the petitioner not only reveals forum shopping, but also borders on abusing the process of this Court. The act of the petitioner in filing quadruple petitions for anticipatory bail, over and over again, shows his temerity in giving a go-by to the various orders passed by this Court and it not only shows utter disrespect to the judicial process and the orders passed by this Court, but is an act of contempt committed by the petitioner. The sanctity of the judicial process has been taken for a ride by the act of the petitioner in filing series of anticipatory bail applications and inspite of obtaining orders, failing to comply with the same and with equal exuberance, once again coming before this Court with another round of petition for the same relief. Such an act of the petitioner is deprecated and in fact, this Court, though is well within its powers to initiate action for such a disrespectful act of the petitioner, however, refrains itself from doing so and also it is contempt that the law enforcing agency did not secure the petitioner for violation of the condition.

5. For the reasons aforesaid, not only the act of the petitioner, but the facts of the case as well does not call for grant of any relief to the petitioner and, accordingly, this petition is dismissed. The petitioner is hereby warned not to abuse the process of this Court by filing further petitions, without complying with the earlier directions issued by this Court.

-sd/-

17/02/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

सत्यमेव जयते

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

WEB COPY

TO

1 V METROPOLITAN MAGISTRATE
COURT, EGMORE, AT ALLIKULAM,
CHENNAI

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

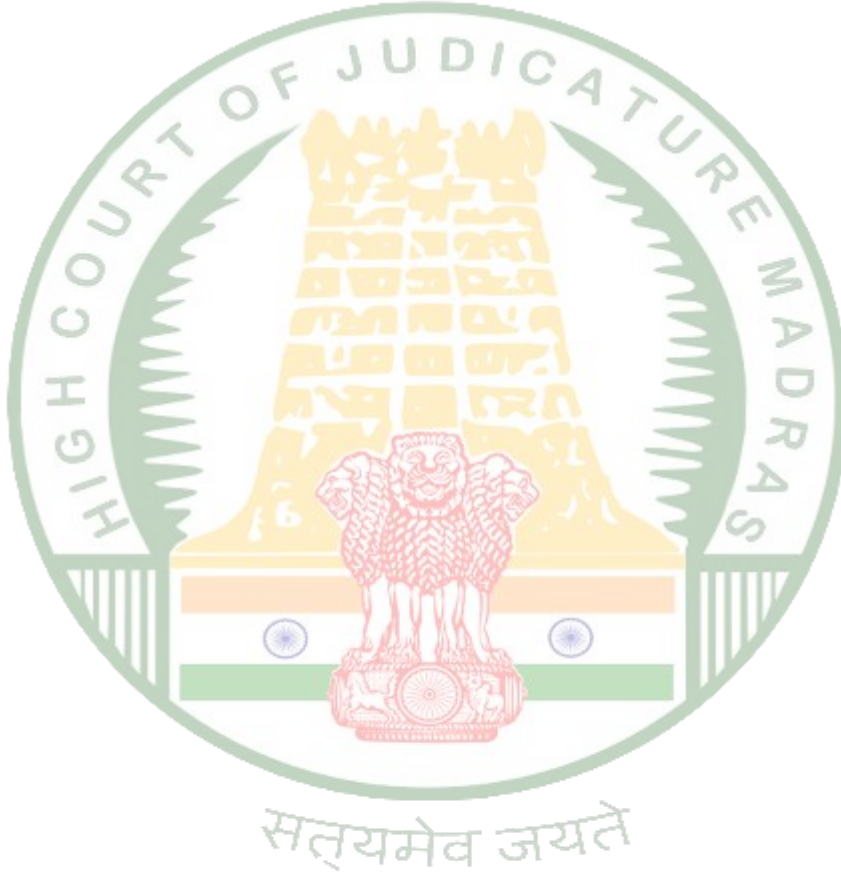
3 THE INSPECTOR OF POLICE,
P-6, KODUNGAIYUR POLICE STATION (CRIME),
CHENNAI.

CC to M/S. N.SELVARAJAN Advocate on payment of necessary
charges SR.NO.3129

CRL OP.3403/2020

Date :17/02/2020

RVR 09/03/2020



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