

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.07.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.Nos.26490 & 28030 of 2019 and
Crl.M.P.Nos.14195 &14961 of 2019

Mathan
S/o Jeevanantham
No.83, MGR Nagar
Nandhiyampakkam, Chennai - 600 120.

... Petitioner in
both Crl.O.P's

Vs.

The Inspector of Police
Meenjur Police Station
Chennai.
(Crime No.107 of 2018)

...Respondent in
Crl.O.P.No.26490 of 2019

The Inspector of Police
Meenjur Police Station
Chennai.
(Crime No.108 of 2018)

...Respondent in
Crl.O.P.No.28030 of 2019

PRAYER in Crl.O.P.No.26490 of 2019: Criminal Original Petition
filed under Section 482 Cr.P.C. praying to set aside the order passed on
09.09.2019 in C.M.P.No.3111 of 2019 by the Judicial Magistrate Court
No.2, Ponneri.

PRAYER in CrI.O.P.No.28030 of 2019: Criminal Original Petition filed under Section 482 Cr.P.C. praying to set aside the order passed on 09.09.2019 in C.M.P.No.3113 of 2019 by the Judicial Magistrate Court No.2, Ponneri.

For Petitioner : Mr.P.Muthamizh Selvakumar
in both the CrI.O.P's

For Respondent : Mr.S.Karthikeyan
in both the CrI.O.P's Additional Public Prosecutor

COMMON ORDER

These petitions have been filed to set aside the orders passed on 09.09.2019 in C.M.P.Nos.3111 and 3113 of 2019 by the learned Judicial Magistrate Court No.2, Ponneri.

2.The case of the prosecution is that the petitioner herein is arrayed as A1 in both the crime nos. on the file of the respondent police. Further he was granted statutory bail by the learned Judicial Magistrate No.2, Ponneri in CMP.No.1530 of 2018 dated 18.06.2018 with certain conditions. Thereafter, the petitioner did not comply with the conditions imposed by the trial Court and also frequently visited the house of the defacto complainant and tried to threaten the witnesses. Which resulted

in law and order issue. Further the respondent police have filed the petition to cancel the bail, granted to the petitioner in both the crime nos. Accordingly, the bail granted to the petitioner was cancelled in C.M.P.Nos.3111 and 3113 of 2019 by the learned Judicial Magistrate Court No.2, Ponneri, on 09.09.2019.

3.The learned Additional Public Prosecutor would submit that the petitioner is a habitual offender and involved in so many cases. All the offences are serious in nature. Even after getting statutory bail, he visited the house of the defacto complainant and threatened the witnesses. Therefore, the respondent police have filed a petition before the learned Judicial Magistrate Court No.2, Ponneri, on 09.09.2019 for cancellation of statutory bail and the same was ordered.

4.Considering the above facts and circumstances of the case, there was a prima facie made out and as such the learned Judicial Magistrate has rightly cancelled the bail of the petitioner in both the crime nos. Since he involved in so many cases, this Court is not inclined set aside the orders in C.M.P.Nos.3111 and 3113 of 2019 dated 09.09.2019.

5.Accordingly the Criminal Original Petitions are dismissed.

However, the petitioner is at liberty to approach the concerned Court for bail, if not granted so far. Consequently connected miscellaneous petitions are closed.

08.07.2020

Index: Yes/No
Internet: Yes/No
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To

1. The Judicial Magistrate No.2
Ponneri.
2. The Inspector of Police
Meenjur Police Station
Chennai.
3. The Additional Public Prosecutor,
High Court of Madras.



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G.K.ILANTHIRAIYAN, J.
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Crl.O.Crl.O.P.Nos.26490 & 28030 of 2019
and Crl.M.P.Nos.14195 &14961 of 2019

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