

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****Dated: 10.06.2020****CORAM****THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI****Crl.RC(MD)No.286 of 2020**

WEB COPY

Thangasudalai

: Petitioner/Petitioner

Vs.

The State rep. by

The Sub Inspector of Police,

Seevalaperi Police Station, Tirunelveli District.

(Crime No.140 of 2019)

: Respondent/Complainant

Prayer: Criminal Revision has been filed under Section 397 and 401 of Criminal Procedure Code against the order of the Principal District Judge, Tirunelveli, passed in Cr.M.P.No.12844 of 2019, dated 24.02.2020.

For Petitioner : Mr.M.Murugesan

For Respondent : Mr.A.P.G.Ohm Chairma Prabhu

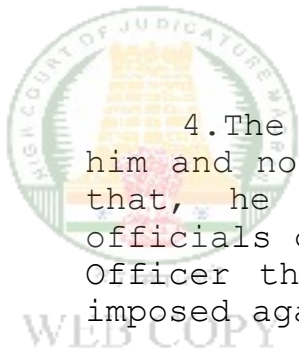
Government Advocate (Criminal side)

O R D E R

This Criminal Revision is filed against the order of the Principal District Judge, Tirunelveli, passed in Cr.M.P.No.12844 of 2019, dated 24.02.2020.

2.The respondent police registered a case in Crime No.140 of 2019 on 15.08.2019 for the offence under sections 147, 148, 341, 294 (b), 323, 324 and 506(II) IPC against the petitioner/A1 and four others. The petitioner/A1 moved anticipatory bail petition before the Principal District Judge, Tirunelveli, in Cr.M.P.No.8298 of 2019. The petitioner was granted anticipatory bail with one of the conditions to appear before the respondent police daily at 10.30 am for two weeks. As per the direction of the trial court, the petitioner/A4 surrendered before the concerned Judicial Magistrate on 07.09.2019 and executed sufficient sureties. The petitioner went to the respondent police to comply with the condition, but the respondent police not to allow the petitioner to comply with the condition imposed against him and also threatened him. Thereafter, the respondent police filed Cr.M.P.No.12844 of 2019, dated 05.09.2019 before the Principal District Judge, Tirunelveli. The learned Judge allowed the said petition on 24.02.2020, thereby cancelled the anticipatory bail granted to the petitioner on 05.09.2019. Aggrieved by the said order, the petitioner/A1 is before this court.

3. Heard both sides and perused the materials available on record.



4.The petitioner states that the respondent police threatened him and not allowed to obey the condition imposed against him. For that, he has not given any complaint to the superior police officials of the respondent police stating that the concerned Police Officer threatened and not allowed him to obey with the condition imposed against him.

5.On perusal of the records, that the petitioner/A1 has been released on bail on 07.09.2019 and directed to comply with the condition imposed by the trial court. The respondent police filed the cancellation of anticipatory bail petition on 29.11.2019 and the petitioner kept silent for two months and when the cancellation of anticipatory bail petition filed, the petitioner simply stated in his counter that the respondent police threatened him and not allowed to obey the condition. The petitioner has not chosen to file any modification petition before the trial court. Hence, the allegation stated by the petitioner in his petition are vague. Further, the petitioner without filing any document to prove that he was restrained by the concerned police to obey the condition, the contention of the petitioner stating that he was restrained by the respondent police to obey the condition is not at all acceptable and the non-compliance of the condition imposed by the trial court amounts to violation of the order passed by the trial court. Hence, it is held that the order passed by the trial court is correct and it is not necessary to interfere into the order passed by the trial court.

6.In the result, this Criminal Revision fails and the same is **dismissed**.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

- 1.The Principal District Judge, Tirunelveli.
- 2.The Sub Inspector of Police,
Seevalaperi Police Station, Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Order made in
Cr1.R.C (MD) No.286 of 2020
10.06.2020