



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/03/2020

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PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

**CRL MP (MD) . Nos.2662 and 2665 of 2020
in**

CRL.O.P. (MD) .Nos.8830 and 8835 of 2019

Guru Jeyaraman,

... Petitioner/intervening Petitioner
in both Crl.M.Ps.

Vs

1. M.Govindharaja,
2. M.Muthuramalingam,,
3. K.Shanmugam,,

... Respondents 1 to 3/Petitioners 1 to 3/
Accused 5 to 7
in Crl.M.P.(MD).No.2662 of 2020

4. The Inspector of Police,,
Ramanathapuram DCB Police Station,
Ramanathapuram.
(In Crime No.12 of 2019).

.. 4th Respondent/Respondent
in Crl.M.P. (MD) .No.2662 of 2020
.. 5th Respondent/Respondent
in Crl.M.P. (MD) .No.2665 of 2020

- 1.Gurusubramanian
- 2.Karthikeyan,
- 3.Vincent Jeyakumr
- 4.M.S.Radhakrishnan

.. Respondents 1 to 4/Accused 1 to 4
in Crl.M.P. (MD) .No.2665 of 2020

(in both Crl.M.Ps.)

For Petitioner

: M/s.C.Jeganathan,
Advocate.

For Respondents

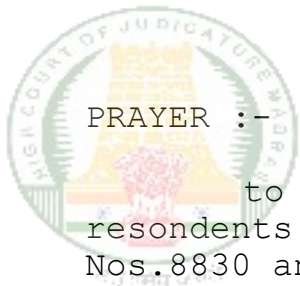
: Mr.M.Thilagar
Advocate

1 to 3 & 1 to 4

For 4th & 5th Respondent

: Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

PETITIONS Under Sec.438 of Cr.P.C



PRAYER :-

to cancel the anticipatory bail granted in favour of the respondents 1 to 3 and 1 to 4 accused 1 to 7 herein CrI.OP(MD) Nos.8830 and 8835 of 2019, dated 9.7.2019

ORDER : The Court made the following order :-

The accused persons in these cases, were granted anticipatory bail by this Court on 09.07.2019 believing that there is no possibility of tampering evidence. The accused persons after obtaining anticipatory bail, have not produced the disputed document despite several request from the investigating agency, therefore, this petition has been filed by the defacto complainant to cancel the bail granted.

2.The learned counsel appearing for the petitioner would submit that this Court shall direct the investigating agency to summons the accused persons calling for the original document from them. He would further submit that till then the anticipatory bail granted in favour of the accused persons has to be cancelled, since they have failed to cooperate with the investigation.

3.After notice to the accused 1 to 7, the counsel for the respondent appear and state in CrI.O.P.(MD)No.12099 of 2019 filed to transfer the investigation to some other police agency, orders are awaited. On receipt of the order, they will submit the original resolution document deed.

4.The learned Government Advocate (CrI. Side) appearing for the respondent Police would submit that the investigating officer will take necessary steps to secure all the documents relevant for investigation.

5.In view of the above, this Court is not inclined to cancel the anticipatory bail granted in favour of the Accused No.1 to 7. However, in future, if the accused persons failed to cooperate with the investigation the respondent police is at liberty to move petition for cancellation of anticipatory bail.

6.With the above direction, these criminal miscellaneous petitions are disposed of.

sd/-
17/03/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1.THE JUDICIAL MAGISTRATE NO.II
RAMANATHAPURAM

2.DO-THROUGH :THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3.THE INSPECTOR OF POLICE,
RAMANATHAPURAM DCB POLICE STATION,
RAMANATHAPURAM.

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

+2 CC to M/s.M.THILAGAR, Advocate (SR-5395, 5396[I] dated
17/03/2020)

ORDER
IN
CRL MP (MD) . Nos.2662 and 2665 of 2020
in
CRL.O.P. (MD) .Nos.8830 and 8835 of 2019
Date :17/03/2020

vsg

AE/PN/SAR-II (26.05.2020) 3P 7C