



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Twenty First day of January Two Thousand Twenty

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL MP(MD) No.11061 of 2019
IN
CRL OP(MD) No.14263 of 2019

M.ANDISAMY

... PETITIONER/DEFACTO
COMPLAINANT

Vs

1.K.MUNEESWARAN

...PETITIONER/ACCUSED No.3

2.STATE REP.BY

THE INSPECTOR OF POLICE,
ANNA NAGAR POLICE STATION,
MADURAI DISTRICT.
CRIME NO.832 OF 2019

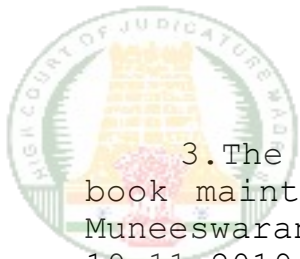
... RESPONDENT/COMPLAINANT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to cancel the order of Anticipatory Bail passed in Crl.OP(MD) No.14263 of 2019 dated 21.10.2019.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.A.RAJA, Advocate for the petitioner and of Mr.S.SIVAKUMAR, Advocate for R1 and Mr.A.ROBINSON, Govt. Advocate (Crl. Side) for R2, the court made the following order:-

The petitioner is the defacto complainant in Crime No.832 of 2019 registered on the file of the Anna Nagar Police Station. A3 Muneeswaran filed Crl.O.P.(MD)No.14263 of 2019 seeking anticipatory bail. By order dated 21.10.2019, I granted anticipatory bail. The said order is sought to be cancelled by the defacto complainant herein.

2.The primary allegations of the defacto complainant is that the petitioner did not surrender before the Court concerned. He would also claim that even the sureties were not produced. However, the said allegation is denied by the accused who has also filed a counter. In paragraph No.5 of the counter, the accused had stated that he furnished two sureties on 13.12.2019.



3.The learned Government Advocate (Crl.side) produced the note book maintained by the concerned Station to show that the accused Muneeswaran did appear before the Station on 14.11.2019 to 19.11.2019 to comply with the condition imposed by this Court. The police official from the Station is also present and to a pointed question, he confirmed that Muneeswaran did appear before the Anna Nagar Police Station on those dates and signed in the note book. If the accused had not appeared in person or surrendered, there is no way that the concerned Court would have accepted the surrender petition or the other papers. In any event, I do not find it as a ground to cancel the order of anticipatory bail granted by this Court earlier.

4.This miscellaneous petition stands dismissed.

sd/-
21/01/2020

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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 VI, MADURAI.

2.THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3.THE INSPECTOR OF POLICE,
ANNA NAGAR POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to M/s.S.SIVA KUMAR, Advocate (SR-1020[I] dated 21/01/2020)

ORDER
IN
CRL MP(MD) No.11061 of 2019
IN
CRL OP(MD) No.14263 of 2019
Date :21/01/2020

rmi
TK/SKN/SAR.4/29.01.2020/2P/6C