

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.NO.4839 OF 2021

AND

CRL.MP.NO.3081 OF 2021

Prasanna @ Prasanna Kumar ... Petitioner

vs.

State:

Inspector of Police, [Law & Order]
H-5, New Washermenpet Police Station,
Chennai 600 001.

... Respondent

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to set aside the cancellation of Bail order in Crl. MP No.4469 of 2020 dated 23.01.2021 passed by the learned XV Metropolitan Magistrate, George Town, Chennai.

For Petitioner : Mr.S.Balaji Sankara Moorthy

For Respondent : Mr.Mohammed Riyaz
Additional Public Prosecutor

ORDER

This petition has been filed challenging the order passed by the Court below cancelling the Bail granted in favour of the petitioner.

2. It is seen from records that the respondent Police registered an FIR against the petitioner in Crime No.4331 of 2020 on 12.09.2020. The petitioner was arrested and remanded to judicial custody on the same day. The petitioner thereafter filed a Bail Petition and the Principal Sessions Judge, Chennai enlarged the petitioner on bail and the petitioner was directed to appear before the respondent Police daily at 10.30 a.m. until further orders.

3. The petitioner filed a petition for relaxation of this condition and the same was dismissed by the Principal Sessions Judge by an order dated 02.11.2020 and this order has become final.

4. In the meantime, since the petitioner did not comply with the condition, the respondent Police filed a petition for cancellation of bail before the Court below. The Court below after considering the facts and circumstances of the case and also after ascertaining that the petitioner did not comply with the condition imposed while he was granted bail and also that the relaxation petition was dismissed, was pleased to cancel the bail granted in favour of the petitioner. Aggrieved by the same, the present petition has been filed before this Court.

5. Heard Mr.S.Balaji Sankara Moorthy, learned counsel appearing for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing for the respondent.

6. Taking into consideration the facts and circumstances of the case and also of the fact that the petitioner failed to comply with the condition and his relaxation petition was also dismissed and the said order became final, this Court does not find any illegality or infirmity in the order passed by the Court below. It is also brought to the notice of this Court that there are several cases pending against the petitioner both in Tamil Nadu and Puducherry. This Court does not find any ground to interfere with the order passed by the Court below.

7. In the result, the Criminal Original Petition is dismissed. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

jv

To

1. The Principal Sessions Judge,
Chennai.
2. The XV Metropolitan Magistrate,
George Town, Chennai.

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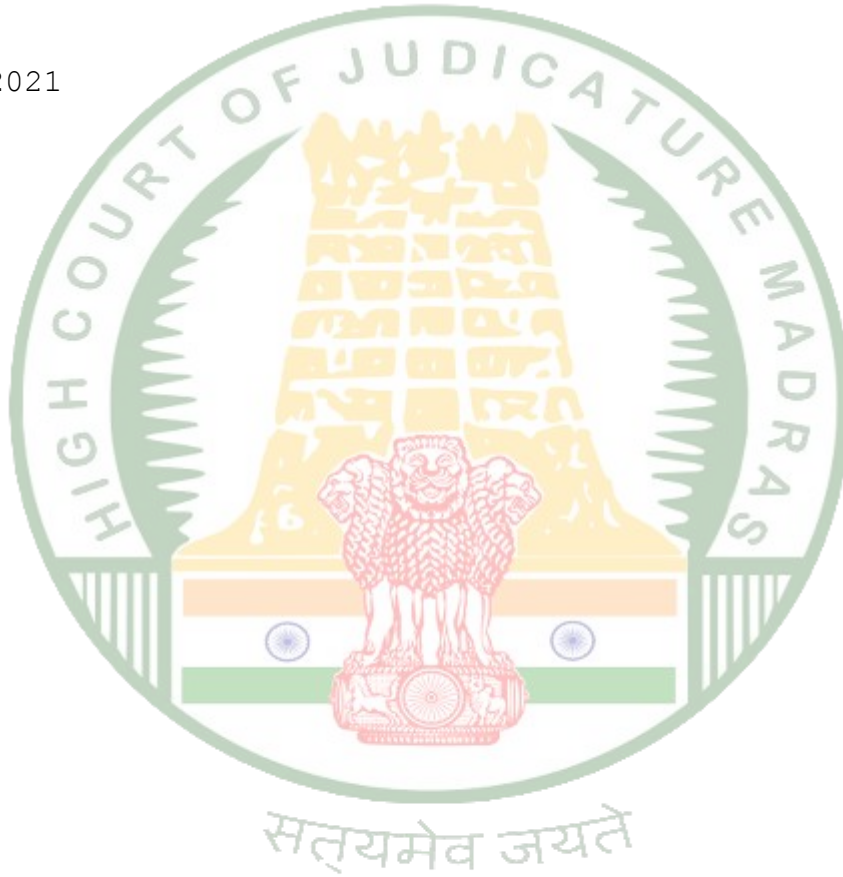
3. The Inspector of Police, [Law & Order]
H-5, New Washermenpet Police Station,
Chennai 600 001.

4. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

+1cc to Mr.S.Balaji Sankara Moorthy, Advocate, S.R.No.15636

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GPL(CO)
CS/09/04/2021



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