

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.04.2021

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.6440 of 2021

Appan [Alias] Appanraj

... Petitioner

Vs.

Inspector of Police  
T-3 Korattur Police Station [L&O]  
Korattur,  
Chennai 600 080.

... Respondent

Prayer:Petition filed under Section 482 of Cr.P.C., seeking to call for records in CMP No.2019 of 2020 against Crime No.1255 of 2020 on the files of T-3 Korattur Police Station and set aside the order dated 24.11.2020 in CMP No.2019 of 2020 passed by the learned Judicial Magistrate Court at Ambattur.

For Petitioner : Mr.S.Shujath Hussain

For Respondent : Mr.T.Shanmuga Rajeswaran  
Government Advocate

O R D E R

This petition has been filed seeking to call for the records in C.M.P.No.2019 of 2020 against Crime No.1255 of 2020 on the file of T-3 Korattur Police Station and to set aside the order dated 24.11.2020 in C.M.P.No.2019 of 2020 passed by the learned Judicial Magistrate Court at Ambattur.

2.The case of the petitioner is that the petitioner was enlarged on bail by the learned Judicial Magistrate, Ambattur in C.M.P.No.1566 of 2020 on 11.09.2020. Since he was not supplied with the information pertaining to bail conditions, he was not able to comply the conditions imposed in the said order. Hence, the respondent police moved C.M.P.No.1680 of 2020 seeking cancellation of bail, however, the said petition was dismissed. Thereafter, the petitioner started complying with the conditions, however, the respondent police moved C.M.P.No.2019 of 2020 seeking cancellation of bail and the said petition was allowed by the learned Judicial Magistrate, Ambattur on 24.11.2020. Hence, this petition.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence after he was enlarged on bail by the lower Court, however, subsequently a false case was registered against the petitioner. He further submitted that earlier the petitioner was enlarged on bail for the offence punishable under sections in IPC and subsequent case was registered under sections in NDPS Act. Hence, the conditions imposed while enlarging on bail in earlier crime could not be compared with the subsequent crime. Accordingly, he prayed for allowing the criminal original petition.

4.The learned Government Advocate appearing for the respondent submitted that one of the conditions imposed while enlarging the petitioner on bail was that he shall not indulge in similar offences, however, subsequently the petitioner was implicated in another crime in Crime No.1952 of 2020 by T1 Ambattur Police Station. Hence, the learned Judicial Magistrate, Ambattur, cancelled the bail granted to the petitioner. Therefore the order dated 24.11.2020 made in C.M.P.No.2019 of 2020 by the learned Judicial Magistrate, Ambattur, cannot be interfered with. Accordingly he prayed for dismissal of the criminal original petition.

5.It is admitted fact that while enlarging the petitioner on bail, the learned Judicial Magistrate, Ambattur, had imposed the condition that the petitioner shall not indulge in similar offences, however, subsequently the petitioner was implicated in another crime. Hence this Court is not inclined to interfere with the order dated 24.11.2020 made in C.M.P.No.2019 of 2020 by the learned Judicial Magistrate, Ambattur.

6.This criminal original petition is accordingly dismissed.

s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1.The Judicial Magistrate Court,  
Ambattur.

2.The Inspector of Police  
T-3 Korattur Police Station [L&O]  
Korattur,  
Chennai 600 080.

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

Crl.O.P.No.6440 of 2021

RSV(CO)  
SP(30/06/2021)



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