



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Wednesday, the Fourth day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.7703 of 2021

RAJALAKSHMI

[PETITIONER/DEFACTO COMPLAINANT]

Vs

1 D.NAVAMANI VEDAMANICKAM
2 N.ESTHER SHOBANA

[RESPONDENTS/ACCUSED]

3 STATE BY
INSPECTOR OF POLICE,
VADAPALANI POLICE STATION,
VADAPALANI, CHENNAI-26.
CR.NO.90 OF 2020.

[RESPONDENTS/COMPLAINANT]

Petition praying that in the circumstances stated therein the High Court will be pleased to cancel the anticipatory bail granted by on order dated 16.10.2020 in the above CrI.OP.No.14696 of 2020.

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.S.JAYAKUMAR Advocate for the petitioner and of M/S R.C.PAUL KANAGARAJ Advocate(R-1 & R-2) and of Mr.C.E.Pratap Government Advocate (CrI. Side) (R-3) on behalf of the Respondents the court made the following order:-

This petition has been filed to cancel the anticipatory bail granted by this Court on 16.10.2020 in CrI.O.P.No.14696 of 2020.

2. This Court, vide its order dated 16.10.2020 had granted anticipatory bail to the respondents accused in CrI.O.P.No.14696 of 2020, based on the Undertaking Affidavit filed by the respondents accused whereby, he agreed to pay a sum in three instalments by giving three post dated cheques (cheque dated 07.11.2020 for a sum of Rs.1,00,000/-, cheque dated 07.02.2021 for a sum of Rs.4,50,000/- and cheque dated 07.04.2021 for a sum of Rs.4,50,000/-), with an assurance to honour the cheques.



3. The learned counsel appearing for the petitioner submitted that though the said cheques were presented for clearance, all the cheques were returned for the reason ''insufficient funds''. Thereafter, the respondents accused filed a petition for extension of time to honour the payment. Though this Court had ordered the extension of time, as on date he paid only a sum of Rs.5,00,000/- and the balance sum of Rs.5,00,000/- is yet to be payable. Therefore, the learned counsel prays for cancellation of anticipatory bail, which was granted based on the undertaking.

4. The learned counsel appearing for the respondents submitted that since they are facing huge financial deficit, they are not able to comply with the Undertaking Affidavit, as undertaken, however it is neither wilful nor wanton. He further submitted that the respondents are ready to pay the balance amount of Rs.5,00,000/- on or before 23.08.2021, failing which, this Court may order for cancellation of anticipatory bail.

5. The learned counsel appearing for the petitioner has no serious objection for this proposal submitted by the learned counsel appearing for the respondents.

6. Considering the facts and circumstances of the case that the respondents themselves agreed to pay the balance sum of Rs.5,00,000/- , this Court is inclined to consider the said proposal advanced by the learned counsel for the respondents and directed the respondents to pay the balance sum of Rs.5,00,000/- (Rupees Five Lakhs only) on or before 23.08.2021, to the petitioner / defacto complainant, failing which the anticipatory bail granted by this Court will stand automatically cancelled without further reference to this Court.

This Criminal Original Petition is disposed of with the above directions.

-sd/-

04/08/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.



TO

1 THE METROPOLITAN MAGISTRATE,
NO.XVII, SAIDAPET, CHENNAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
VADAPALANI POLICE STATION,
VADAPALANI, CHENNAI-600 026.

CC to M/S.S.JAYAKUMAR Advocate on payment of necessary charges
Sr.8166

CRL OP.7703/2021

Date :04/08/2021

RVR 13/08/2021