



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

Wednesday, the Eighth day of December Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL MISCELLANEOUS PETITION No.7820 of 2021
IN CRL OP.13348/2021

DHANALAKSHMI JAYARAMAN

[PETITIONER / DE-FACTO COMPLAINANT]

Vs

1 ANAND SHARMA

[RESPONDENTS]

2 STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION- CENTRAL,
COIMBATORE.
CRIME.NO.4 of 2021

Petition praying that in the circumstances stated therein the High Court will be pleased to cancel the anticipatory Bail passed in Crl.O.P.No.13348 of 2021 by its order dated 02.08.2021.

Order: This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S. DHANALAKSHMI JAYARAMAN, PARTY -IN-PERSON for the Petitioner and of M/S.S.G.SARAVANABHAVAN, Advocate on behalf of the 1ST Respondent and of M/S.S.BALAJI, Govt. Advocate (Crl. Side) on behalf of the 2ND Respondent the court made the following order:-

This petition has been filed to cancel the anticipatory bail passed in Crl.OP.No.13348 of 2021 by its order dated 02.08.2021.

2. The learned counsel for the petitioner submitted that the first respondent/accused filed an anticipatory bail petition before this Court and the same was granted on 02.08.2021 with certain conditions. After enlarged on bail by this Court, the first respondent violated the one of the condition that he threatened the petitioner/defacto complainant through his wife and associates, for which, she lodged a complaint before the respondent police and the same is under investigation. Hence, the present cancellation of bail application has been filed.

3. The learned Government Advocate submitted that during pendency of this petition, the respondent police conducted investigation and



filed charge sheet and the same has been sent for getting Public Prosecutor's opinion.

4. This Court had earlier granted anticipatory bail in Crl.OP.No.13348 of 2021 to the petitioner therein, vide order dated 02.08.2021. Pursuant to the grant of anticipatory bail, another complaint has been lodged by the petitioner herein/defacto complainant alleging that after grant of anticipatory bail, the accused had threatened the defacto complainant with dire consequences and thereby, the accused has misused the bail granted to him, which therefore, requires to be cancelled.

5. Though such a stand is taken by the defacto complainant in the present petition, however, it is to be pointed out that subsequent to grant of bail, the defacto complainant had made another complaint alleging threatening at the hands of the accused. However, pending the same, the on the earlier complaint, the investigating agency had conducted investigation and filed charge sheet. That being the undisputed position, the present petition at the instance of the petitioner for cancellation of anticipatory bail granted to the accused cannot be considered. Once charge sheet is filed, the proper course open to the investigating agency is to proceed with the investigation and if the defacto complainant is aggrieved for any action subsequent to the grant of anticipatory bail, it is open to the defacto complainant to ventilate her grievance before the appropriate forum by filing appropriate petition and this Court cannot invoke its power to cancel the anticipatory bail granted on the allegations made by the petitioner, more so when charge sheet has been filed against the accused.

6. For the aforesaid, this miscellaneous petition is closed and liberty is granted to the petitioner herein/defacto complainant to file appropriate petition before the concerned forum with regard to the subsequent complaint filed by her.

-sd/-
08/12/2021

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 ADDITIONAL MAHILA JUDGE,
COIMBATORE.

2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION CENTRAL ,
COIMBATORE.

3 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

C.C. to DHANALAKSHMI JAYARAMAN, PARTY -IN- PERSON on payment of
necessary charges

Order

in
CRL MP.7820/2021

in
CRL OP.13348/2021

Date :08/12/2021

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format

INBA-07/01/2022