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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Reserved on : 08/07/2021

Pronounced on : 12/07/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL MP (MD) . No.1705 of 2021

in

CRL OP (MD) . No.14035 of 2020

Jemini Ganesan ... Petitioner/Defacto Complainant

Vs

1.The Inspector of Police,
Vilakkuthoon Police Station,
Madurai City,
Madurai District. ... 1st Respondent/Complainant

2. Vijayan

3. Pooncholai ... Respondents 2 & 3/Accused No.1 & 2

For Petitioner : Mr.Sulthan Basha..J,,
Advocate.

For R1 : Mr.M.Muthumanikkam,
Additional Public Prosecutor

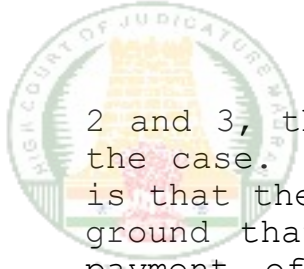
For R2 & R3 : Mr.P.Santhana Krishnan

PRAYER :-

To Call for the records relating to the order dated 04.12.2020 made in Crl.O.P.(MD) No. 14035/2020 on the file of this Honourable Court Madurai and cancel the Anticipatory bail granted to the respondents 2 and 2 /accused No. 1 and 2.

ORDER : The Court Made the following order :-

This petitions is filed to cancel the anticipatory bail granted to the respondents 2 and 3 in Crl.O.P.(MD)No.14035 of 2020 dated 04.12.2020.



2 and 3, they had criminally intimidated the petitioner to withdraw the case. The submission of the learned counsel for the petitioner is that the respondents 2 and 3 are granted anticipatory bail on the ground that the petitioner has not produced any material for the payment of Rs.21,50,000/- for the lease of the property. It is further submitted that later he filed an affidavit regarding his means to pay the amount and also payslip of his sons. Therefore, he now wants cancellation of anticipatory bail granted in favour of the respondents 2 and 3.

3.The learned counsel for the respondents 2 and 3 opposes this petition on the ground that the payment alleged to have made by the petitioner to the respondents 2 and 3 is not true. The allegation is that the respondents 2 and 3 threatened the petitioner after getting anticipatory bail is not true. This allegation is made only for the purpose of filing this petition. The respondents 2 and 3 had complied with the conditions given by this Court while granting anticipatory bail. Therefore, he prays for dismissal of this petition.

4.Bail or anticipatory bail can only be dismissed under certain circumstances. Of course while granting anticipatory bail this Court made an observation that the petitioner has not produced any material to show for the payment of Rs.21,50,000/-. This aspect can only be considered during the trial. The grounds of dismissing the anticipatory bail is very limited.

5.The petitioner is not able to make any of then grounds for justifying the cancellation of anticipatory bail granted to the respondents 2 and 3. No material filed to show that the respondents 2 and 3 criminally intimidated the petitioner after the grant of anticipatory bail. Therefore, this Criminal Miscellaneous Petition is dismissed.

Sd/-
12/07/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

IAS

TO

1. THE JUDICIAL MAGISTRATE NO.I
MADURAI.



2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3. THE INSPECTOR OF POLICE,
VILAKKUTHOON POLICE STATION,
VILAKKUTHOON, MADURAI.

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

ORDER

IN

CRL MP (MD) No.1705 of 2021

in

CRL OP (MD) . No.14035 of 2020

Date : 12/07/2021

VB/JC/SAR.V/14.07.2021/3P/5C