



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 09.02.2021

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THE HONOURABLE MRS. JUSTICE R. THARANI

Crl. R.C.(MD)No.655 of 2020

Gangatharan

.. Petitioner / Petitioner

Vs.

The Inspector of Police,
Kottar Police Station,
Nagercoil,
Kanyakumari District.
(Crime No.405/2019)

.. Respondent /Respondent

Prayer : This criminal revision case is filed under Section 397 r/w. Section 401 of Criminal Procedure Code, to call for the records of the Judicial Magistrate, Additional Mahila Court, Nagercoil, by an order dated 15.09.2020, in Cr.M.P.No.24 of 2020 and to set aside the same.

For Petitioner : Mr.D.Rameshkumar

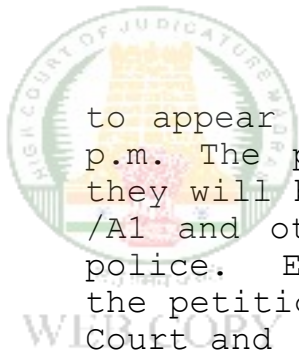
For Respondent : Mrs.S.Bharathi
Government Advocate

O R D E R

This revision has been filed to set aside the order dated 15.09.2020, in Cr.M.P.No.24 of 2020, on the file of the Judicial Magistrate, Additional Mahila Court, Nagercoil.

2.A case was registered against the petitioner in Crime No.405 of 2019 by the respondent police under Sections 294(b), 506 (ii) I.P.C. and Section 4 of Tamil Nadu Prohibition of Women Harassment Act. The petitioner was granted anticipatory bail by the District and Sessions Judge, in Cr.M.P.No.5021 of 2019, dated 05.11.2019 with certain conditions. The petitioner has not complied the conditions. Hence, the respondent police filed a petition before the Additional Mahila Court, Nagercoil in Cr.M.P.No.24 of 2020 for cancellation of anticipatory bail order in favour of the petitioner herein/A1 and A2 and the same was allowed and the anticipatory bail order was cancelled by the Court. Against the same, the petitioner/A1 preferred this Revision.

3.On the side of the petitioner, it is stated that anticipatory bail was granted on condition that the petitioner has



to appear before the respondent police daily at 10.00 a.m and 5.00 p.m. The petitioner was threatened by the respondent police that they will break the legs of the petitioner and hence, the petitioner /A1 and other accused /A2 could not appear before the respondent police. Except 506(ii) I.P.C. all other offences are bailable and the petitioner is ready to abide any condition to be imposed by this Court and prayed the cancellation order to be set aside.

4. On the side of the respondent, it is stated that there is no complaint against the respondent police by the petitioner. The allegation against the police is unbelievable. The petitioner has not come forward to file any modification petition and prayed the petition to be rejected.

5. It is seen that the petitioner has not complied the condition imposed by the Sessions Court and the petitioner has also admitted that the petitioner/A1 and A2 have not complied the conditions. Admittedly, the petitioner has not filed any petition or complaint against the respondent police for not allowing the petitioner/A1 and A2, to sign before the Station House Officer. The petitioner has not approached this Court for modification of the condition.

6. In the above circumstances, there is no merits in the petition. Hence, this Criminal Revision Case is dismissed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Ls

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Judicial Magistrate,
Additional Mahila Court,
Nagercoil.

2. The Inspector of Police,
Kottar Police Station,
Nagercoil,

<https://hcservrecorder.com/in/hcservDes> District.



3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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CrI. R.C. (MD)No.655 of 2020
09.02.2021

VB (03.03.2021) 3P 4C