



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 16/6/2022

C O R A M

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl. O.P. No.9707 of 2022

a n d

Crl.M.P.No.5698 of 2022

Ram @ Ramkumar

... Petitioner

Vs

State

rep. By The Station House Officer

D Nagar Police Station

Puducherry.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records in Crl.M.P.No.979 of 2020, dated 16/2/2021, on the file of the Principal Sessions Judge, Puducherry, to examine the correctness, legality or propriety of the findings passed against the petitioner and to set aside the same.

For Petitioner

... Mr.G.Pavendhan

For respondents

... Mr.V. Balamurugane

Additional Public Prosecutor
(Puducherry)

O R D E R

This Criminal Original Petition has been filed to quash Crl.M.P.No.979 of 2020, dated 16/2/2021, on the file of the Principal Sessions Judge, Puducherry, to examine the correctness, legality or propriety of the findings passed against the petitioner.

2. Heard Mr.G.Pavendhan, learned counsel for the petitioner and Mr.V.Balamurugane, Additional Public Prosecutor (Puducherry) for the respondent.

3. The learned counsel appearing for the petitioner submitted that cancelling the bail is not properly decided and there is no iota of evidence to show that the petitioner is indulged in committing similar offence and therefore, seeks to set aside the order.



4. The learned Additional Public Prosecutor (Puducherry) appearing for the respondent submitted that the petitioner was originally released on bail in CrI.M.P.No.1114 of 2018, with conditions, by order, dated 20/6/2018, in Crime No.51 of 2018. After the petitioner being enlarged on bail, he has again involved in similar offence by eliminating the friend of other person. Hence the order passed by the trial Judge, does not require any interference.

5. When the condition itself is violated, which has been substantiated by the prosecution by producing necessary documents, the trial Judge cancelling the bail granted to the petitioner cannot be said to be found fault with. Considering the fact that the accused had again involved in another murder case, the same will create fear over the minds of the witnesses and this will amount to tampering the witnesses. Accordingly, I do not find any merit in entertaining the instant Criminal Original Petition.

6. In the result, this Criminal Original Petition is dismissed. Consequently the connected Criminal Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

mvs.

To

1. The Principal Sessions Judge, Puducherry
2. The Station House Officer
D Nagar Police Station
Puducherry.
3. The Public Prosecutor (Puducherry)
High Court
Chennai.

+1cc to Mr.G.Pavendhan, Advocate, S.R.No.36694

CrI. O.P. No. 9707 of 2022

RLD(CO)
CT/28/06/2022