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Crl.M.P.No.5985 of 2022 in
Crl.O.P.No.23679 of 2021

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in
Crl.O.P.No. 23679 of 2021

T.V. THAMILSELVI, J.

This petition has been filed to cancel the anticipatory bail granted to the 2nd respondent by this Court in Crl.O.P. No.23679 of 2021 dated 09.12.2021 in Crime No.3 of 2013, pending investigation on the file of 1st respondent police.

2. The learned counsel for the petitioner submitted that the 2nd respondent instigated his relative and threatened her to withdraw the complaint after getting oral order from this court. Hence, he prayed to cancel the anticipatory bail granted to the 2nd respondent.

3. Today, when the matter taken up for hearing, the 2nd respondent, who is working in Army appeared before this Court in person on leave. He openly stated that neither himself nor his family approached the defacto complainant and nor he instigated anybody to threaten her to withdraw the complaint.



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4. The learned Government Advocate (Crl. Side) appearing for 1st respondent submitted that the charge sheet was also filed and the case was taken on file in C.C.No.139 of 2022 by the Mahila Court, Vellore and the hearing date was fixed on 01.09.2022.

5. Considering the above facts and circumstances and on perusal of records, it is seen that charge sheet was filed and the case was taken on file in C.C. No.139 of 2022 on the file of Mahila Court, Vellore and the investigation was almost completed. Furthermore, there is no proof that the defacto complainant threatened the 2nd respondent nor she produced any receipt for giving a complaint before the respondent police. Therefore, the reasons stated by the petitioner against the 2nd respondent is not proved by sufficient evidence for prosecution, on the other hand, the 2nd respondent appeared in person and he is on duty at Army and the investigation almost completed. The 2nd respondent also submitted that he would cooperate for the further proceedings. Accordingly, this Criminal Miscellaneous Petition is dismissed and the 2nd respondent is directed to co-operate with the trial before the trial court.

17.08.2022

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