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CrI.O.P.No.21043 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2022

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.21043 of 2022

R.Madhanagopal

... Petitioner

Vs.

1. K.Rajmohan

2. State rep. By,
The Inspector of Police,
Valparai Police Station,
Coimbatore.
(Crime No.13 of 2022)

..Respondents

Prayer: This Criminal Original Petition filed under Section 439(2) of Cr.P.C., praying to cancel the anticipatory bail granted to the respondent No.1 in CrI.M.P.No.3948 of 2022, dated 12.08.2022 in Cr.No.13 of 2022 on the file of the second respondent.

For Petitioner : Mr.K.Vasanthanayagan

For Respondents : Mr.Haroon Al Rasheed
for R1

Mr.R.Vinothraja,
Government Advocate (CrI.Side)
for R2

ORDER



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This Criminal Original Petition has been filed to cancel the anticipatory bail granted to the respondent No.1 in CrI.M.P.No.3948 of 2022 by the learned Principal District & Sessions Judge, Coimbatore, dated 12.08.2022 in Cr.No.13 of 2022 on the file of the second respondent.

2. Mr.K.Vasanthanayagan, learned counsel for the petitioner would submit that the District & Sessions Court, while granting anticipatory bail to the first respondent in CrI.M.P.No.3948 of 2022, had directed the respondent/accused to comply with the condition by appearing before the respondent police daily at 10.00 a.m., for a period of 15 days. However, he has not complied with the same. Thereby, the present application has been filed seeking to cancel the anticipatory bail.

3. Mr.Haroon Al Rasheed, learned counsel appearing for the first respondent would submit that the first respondent had duly complied with the condition by appearing before the respondent police for a period of 10 days. However, since he was affected by Covid-19, during the said period, he was unable to comply with the condition over the remaining period of 5 days. Further, a petition was filed before the Court seeking for exemption from



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appearance of the first respondent and the same was dismissed.

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4. Mr.R.Vinothraja, learned Government Advocate (Crl.Side) appearing for the second respondent would submit that the first respondent had appeared before the respondent police only for a period of 10 days. However, the investigation had been completed and charge sheet has been filed.

5. Taking into consideration the fact that the investigation had been completed and charge sheet has been filed and also the fact that the first respondent had appeared before the respondent police for a period of 10 days, and that he was unable to appear due to illness, this Court is of the opinion that there is a no wilful violation. The petition for cancellation of bail deserves to be closed.

6. Accordingly, this Criminal Original Petition is closed.

13.10.2022

Speaking Order/Non-speaking Order

Index :Yes/No

Anu

A.D.JAGADISH CHANDIRA, J.



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Anu

To

- 1.The Inspector of Police,
Valparai Police Station,
Coimbatore.
- 2.The Public Prosecutor,
High Court, Madras.

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13.10.2022