



Crl.M.P.No.13941 of 2022

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in Crl.OP.No.1849 of 2022

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T.V.THAMILSELVI,J

This petition has been filed to cancel the bail order dated 25.01.2022 by this Court in Crl.O.P.No.1849 of 2022.

2.The case of the prosecution is that the accused, who is the husband of the defacto complainant is arrayed as main accused in this case. The defacto complainant who is none other than the wife of the accused has preferred a complaint before the respondent Police alleging that the accused has borrowed money from his wife as well as from her relatives which was not repaid by the accused. In this regard, due to difference of opinion, HMOP.No.1017 of 2021 was filed before the Principal Family Court, Coimbatore. Thereafter, the present FIR has been registered by the defacto complainant against her husband (A1) and in-laws A2 and A3 as a revenge. Hence, the complaint.

3.The learned counsel for the petitioner /defacto complainant would submit that after obtaining bail, the accused used to threaten the defacto complainant and hence she has filed a complaint before the respondent police which was registered under Sections 294(b), 354C and 507 of IPC in crime No.234 of 2022. Apart from this, there are six previous cases pending as against the accused and she produced the list of cases along with crime numbers. Furthermore, the 2nd respondent/accused used to cheat other girls by giving a false promise of marriage and he was having contact with more women and he suppressed all the contacts at the time of the alleged marriage. By showing the subsequent conduct of the 2nd respondent that he would tamper the witnesses, she prays for cancellation of bail to the 2nd respondent.



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4. There is no representation for the 2nd respondent.

5. The learned Government Advocate (crl.side) would submit that the investigation has been completed but the final report has not been filed.

6. On perusal of records, it reveals that after coming out on bail, the accused attempted to threaten the defacto complainant and hence, she gave a complaint. Based upon the complaint, the First Information Report in Crime No.234 of 2022 was registered under Section 294(b), 354C and 507 of IPC and considering the subsequent conduct of the 2nd respondent, there is every possibility of tampering the evidence and he breached the condition imposed by this Court in Crl.O.P.No.1849 of 2022 dated 25.01.2022. Hence, this Court is inclined to cancel the bail order granted to the 2nd respondent on 25.01.2022 in Crl.O.P.No.1849 of 2022. Further the respondent police is directed to secure the 2nd respondent.

7. With the above directions, this Criminal Miscellaneous Petition is ordered.

09.11.2022

vkr

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