



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **16.02.2022**

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.R.C. (MD) No.69 of 2022

Manikandaprabhu

... Petitioner/Petitioner

Vs.

1.The State represented by
The Inspector of Police,
City Crime Branch,
Tiruchirapalli.
(Crime No.18 of 2020)

... 1st Respondent/Complainant

2.Chandrasekaran

... 2nd Respondent/ Accused No.1

Prayer : This Criminal Revision has been filed under Section 397 r/w 401 of Criminal Procedure Code, to call for the records and to set aside the order passed in Cr.M.P.No.669 of 2021 dated 16.11.2021 on the file of the Principal District & Sessions Judge, Tiruchirapalli to cancel the Bail granted to the second respondent in Cr.M.P.No.18 of 2021 dated 07.01.2021 on the file of the Principal District & Sessions Judge, Tiruchirapalli.

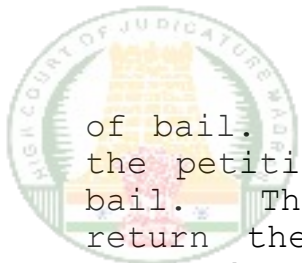
For Petitioner : Mr.V.Illanchezian
For Respondents : Mr.K.Sanjay Gandhi
Government Advocate (Criminal Side)

O R D E R

This Criminal Revision Case has been filed to set aside the order passed in Cr.M.P.No.669 of 2021 dated 16.11.2021 on the file of the Principal District & Sessions Judge, Tiruchirapalli, to cancel the bail granted to the second respondent in Cr.M.P.No.18 of 2021 dated 07.01.2021 on the file of the Principal District & Sessions Judge, Tiruchirapalli.

2. On the complaint lodged by the petitioner, the first respondent registered a case for the offences under Sections 420 and 406 IPC as against the second respondent.

3. A perusal of the complaint lodged by the petitioner revealed that the petitioner paid a sum of Rs.2,96,00,000/- (Rupees Two Crores and Ninety Six Lakhs only) by way of cash to the second respondent to invest in the business of Jatropa Group of Oil Company in Qatar. Thereafter, the second respondent was arrested and remanded to judicial custody. He filed the bail petition and it was granted. The second petitioner endorsed no objection for grant



of bail. On the strength of the no objection endorsement made by the petitioner, the Court below released the second respondent on bail. The second respondent filed an affidavit undertaking to return the entire amount within a period of ten days. On the strength of the said affidavit, the petitioner endorsed no objection on the bail petition. However, the second respondent failed to comply with the undertaking and as such, the petitioner filed the petition for cancellation of bail granted to the second respondent.

4. On perusal of records, there is no whisper about the said affidavit filed by the second respondent undertaking to return the sum of Rs.2,96,00,000/- (Rupees Two Crores and Ninety Six Lakhs only) to the petitioner within a period of ten days. It is also not on record in the bail petition and as such, the Court below rightly dismissed the petition for cancellation of bail and this Court finds no illegality in the order passed by the Court below. This Criminal Revision Case is dismissed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To:-

- 1.The Principal District & Sessions Judge,
Tiruchirapalli.
- 2.The Inspector of Police,
City Crime Branch,
Tiruchirapalli.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER MADE IN

Crl.R.C. (MD) No.69 of 2022

16.02.2022