



Crl.O.P.No.21401 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2023

CORAM

THE HON'BLE MR. JUSTICE **C.V.KARTHIKEYAN**

Crl.O.P.No.21401 of 2023

S.Jayalakshmi ...Petitioner / defacto complainant

Vs.

1. Ganapathi

... Respondent/Accused

2. The State of Tamil Nadu
Rep. by Inspector of Police
Tambaram CCB (Cr.No. 10 of 2023)
Tambaram City. ... Respondent/ Complainant

PRAYER:Criminal Original Petition is filed under Section 439(2) of Cr.P.C. praying to cancel the bail granted to the first respondent by the learned Judicial Magistrate No.2, Chengelpet in Crl.M.P.No. 6119 of 2023 dated 31.07.2023.

For Petitioner : Mr. M.Devaraj

For 1st Respondent : Mr.A.Loganayagi

For 2nd Respondent : Mr. S.Vinoth Raja



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Government Advocate, Crl. Side

ORDER

This Petition had been filed seeking cancellation of bail granted to the first respondent in Cr.No. 10 of 2023 registered by the second respondent under Sections 419, 465, 467, 468, 471, 420, 120(b) of IPC.

2. The main ground under which the order granting bail by the learned Judicial Magistrate No.2 by an order dated 31.07.2023 in Crl.M.P.No. 6119 of 2023 is sought to be cancelled is that the first respondent has evaded from judicial process from the year 2014 and that the case is pending without any progress and that the first respondent is threatening the petitioner to withdraw the complaint.

3. The first respondent has filed the affidavit before this Court wherein he had stated as follows:-

“5. I further submit that, in the above



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crime, I was arrested on 28.07.2023 and subsequently was released on bail by order dated 31.07.2023 in Crl.M.P.No. 699 of 2023. Subsequent to release on bail, I am complied the conditions in conformity with the order passed, and at no point of time, I involved in the action of threatening the petitioner herein as alleged. I have not committed any offence as alleged and I'm strictly completed the conditions imposed by the Judicial Magistrate while granting bail and tendering full co-opertion for concluding the trial before the Trial Court.”

4. The above statement that the first respondent would not commit any offence of threatening is recorded and the application seeking cancellation of bail stands dismissed. A copy of this order may be forwarded to the learned Judicial Magistrate No.II, Chegalpattu and the Registry may also enclose the copy of the affidavit filed by the first respondent herein / accused before the Magistrate Court. No further



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orders are required.

Vsg

01.12.2023

To

1. Judicial Magistrate No.2, Chengelpet.
2. The Inspector of Police
Tambaram CCB
Tambaram City.
3. The Public Prosecutor,
High Court, Madras.

C.V.KARTHIKEYAN, J.



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