



Crl.M.P.No.17940 of 2022
in Crl.O.P.No.11937 of 2022

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G.K.ILANTHIRAIYAN, J.

This petition has been filed to cancel the anticipatory bail granted to the first respondent herein/third accused by this Court in Crl.O.P.No.11937 of 2022 dated 19.05.2022.

2. This Court, while granting anticipatory bail to the first respondent imposed the following conditions;-

"8. Accordingly, the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.89 of 2019 on the file of the respondent, within a period of four weeks from the date on which the order copy made ready, and on such deposit, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate I, Tambaram, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the repondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory



bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioner shall report before the respondent place daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Surpreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560].

[f] If the acused thereafter abscond, a fresh FIR can be registered under Section 229A IPC."



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3. This Court, by an order dated 19.05.2022 granted anticipatory bail to the first respondent herein with the aforesaid conditions. However, he failed to comply with any of the condition imposed by this Court after surrendering before the Judicial Magistrate I, Tambaram.

4. The learned counsel for the second respondent would submit that the first respondent had furnished a false address before this Court and obtained anticipatory bail and as such, his whereabouts are not known. In fact, the Court notice has been sent to the first respondent herein and the same was also returned with an endorsement "Left".

5. Considering the above facts and circumstances, this Court is inclined to cancel the anticipatory bail granted to the first respondent herein.

6. Accordingly, this criminal original petition stands allowed and the anticipatory bail granted to the first respondent herein dated 19.05.2022 in CrI.O.P.No.11937 of 2022 is hereby cancelled. The Second respondent is directed to secure the first respondent and proceed in accordance with law in Crime No.89 of 2019.

09.01.2023

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