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Crl.M.P.No.19216 of 2023

Crl.M.P.No.19216 of 2023

in

Crl.O.P.No.25129 of 2023

C.V.KARTHIKEYAN, J.

This petition has been filed seeking to modify the order dated 07.11.2023 in Crl.O.P.No.25129 of 2023, wherein the learned Single Judge of this Court had observed in Para No.5 as follows :

“5. Considering the fact that the petitioners, on their own volition, have come forward to pay a sum of Rs.8,50,000/- to the defacto complainant by way of demand draft, this Court is inclined to grant anticipatory bail to the petitioners.”

2. Subsequently, the consequential directions, in Para.6(a) the following had been ordered :

“6(a). the petitioners, without prejudice to their rights and defence, shall pay a sum of Rs.8,50,000/- [Rupees Eight Lakhs and Fifty Thousand Only] to the defacto complainant by way of demand draft, within a period of two weeks



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from the date of receipt of a copy of this order and shall produce the proof/receipt of such payment before the learned Judicial Magistrate, Kangayam, Tiruppur, at the time of executing sureties.”

3. Now, the learned counsel for the petitioner states that he would deposit the amount in Court. But that is not the tenor of the order, neither was that the nature of argument advanced when the learned Single Judge had passed order granting anticipatory bail in Crl.O.P.No.25129 of 2023. If the petitioners are not prepared to comply with the order then the order of anticipatory bail would only stand cancelled and the respondent will have to take the petitioner into custody. There cannot be any other leverage for the petitioner herein.

4. In view of that fact, I am not inclined to modify the order and this petition stands cancelled. Only aspect granted is extension of time. The petitioner should pay the amount as directed within a period of two weeks from today which would mean by 26.12.2023, the amount has to be paid to the defacto complainant directly as stipulated, failing which the order



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granting anticipatory bail shall automatically stands cancelled and the respondent without awaiting for any further directions shall take the petitioner into custody.

5. Accordingly, this Criminal Miscellaneous Petition is dismissed.

11.12.2023

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