



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Friday, the Sixteenth day of June Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL MP(MD) No.8282 of 2023

IN

CRL OP(MD) No.317 of 2023

S.CHITRA

... Petitioner / Intervenor

Vs

PERUMAL

... 1st Respondent / Petitioner

2 THE STATE THROUGH
THE INSPECTOR OF POLICE
ODDANCHATRAM AWPS,
DINDIGUL DISTRICT
(CRIME NO.13 OF 2022)

... 2nd Respondent / 1st Respondent

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to cancel the order passed by this Honble Court in Crl.OP (MD)No.317 of 2023 dated 09.03.2023 in the above Anticipatory Bail petition.

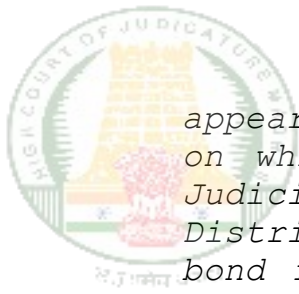
Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.S.BHUVANESWARI, Advocate for the petitioner and of Mr.B.THANGA ARAVINDH, Government Advocate (Crl. side) on behalf of the RespondentNo.2, the court made the following order:-

This petition has been filed to cancel the anticipatory bail granted to the first respondent/accused on the ground that the first respondent has failed to comply with the condition imposed by this Court in pursuant to the registration of FIR in Crime No.13 of 2022 for the offences punishable under Sections 294(b), 506(1) and 420 of IPC.

2.The first respondent/accused has approached this Court seeking for anticipatory bail and this Court considered the facts and circumstances, has granted anticipatory bail on the following conditions:

"...7.Accordingly, the petitioner is ordered to be

released on bail in the event of arrest or on his



appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate Court, Oddanchatram, Dindigul District, 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 respondent 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 shall deposit the remaining amount of Rs.6,00,000/- (Rupees Six Lakhs Only) by way of demand draft drawn in favour of the defacto complainant directly and on production of proof/acknowledgement the learned Magistrate shall accept the sureties furnished by the petitioner.

[b] 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.

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

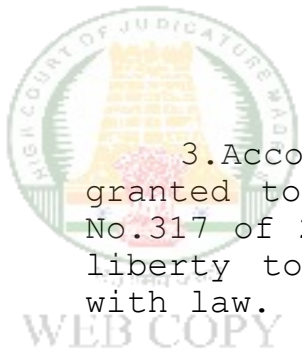
[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

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

[f] 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 Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC."

However, the first respondent/accused could not able to comply with the condition and as such, he filed a petition for extension of time and subsequently, this Court also extended for further period of two weeks to comply with the condition imposed by this court. Even then, the first respondent has failed to comply with the condition and did not produce any surety sofar. This Court also categorically stated that if the first respondent failed to comply with the condition, the anticipatory bail shall stands dismissed.



3. Accordingly, it is clarified that the anticipatory bail granted to the first respondent, dated 09.03.2023 in CrI.O.P.(MD) No.317 of 2023, is stands cancelled and the second respondent is at liberty to secure the first respondent and proceed in accordance with law.

4. This petition is ordered accordingly.

sd/-
16/06/2023

/ TRUE COPY /

/06/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

To

1. The Judicial Magistrate,
Oddanchatram, Dindigul District.

2. Do through the Chief Judicial Magistrate,
Dindigul District.

3. The Inspector of Police,
Oddanchatram AWPS,
Dindigul District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.C.M.ARUMUGAM, Advocate (SR-9044[I] dated 19/06/2023)

+1 CC to M/s.RAJA.KARTHIKEYAN, Advocate (SR-9128[I] dated 20/06/2023)

ORDER
IN
CRL MP(MD) No.8282 of 2023
IN
CRL OP(MD) No.317 of 2023
Date :16/06/2023

ED/BUC/SAR- (23/06/2023) 3P 7C