



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2023

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.(MD)No.21322 of 2022

Melin

... Petitioner/Defacto Complainant

Vs.

1.State rep by

The Inspector of Police,
Colachel Police Station,
Kanyakumari District.
(In Crime No.262 of 2022)

... 1st Respondent/Respondent

2.G.Alex @ Alex Xavier

... 2nd Respondent/Petitioner

PRAYER : Criminal Original Petition filed under Section 439(2) r/w 482 of the Criminal Procedure Code, to cancel the anticipatory bail granted by the Principal Sessions Judge, Kanyakumari District at Nagercoil in Crl.M.P.No.6077 of 2022 by order dated 14.11.2022.

For Petitioner : Mr.P.T.RAMESH RAJA, Advocate

For R1 : Mr.B.THANGA ARAVINDH,
Government Advocate (Crl. Side)

For R2 : Mr.R.ARAVIND RAJ, Advocate

ORDER

This Criminal Original Petition has been filed to cancel the anticipatory bail granted by the learned Principal Sessions Judge, Kanyakumari District at Nagercoil in Crl.M.P.No.6077 of 2022 by order dated 14.11.2022.

2.This petition is filed on the ground that earlier application was dismissed on the ground that car was not yet recovered. However, the second respondent filed second petition for anticipatory bail, in which, the first respondent submitted that car has been handed over to A2 and he is in possession and enjoyment of the same. Therefore, the Court below granted anticipatory bail to the second respondent.



3. On perusal of records shows that the car was handed over to A2 and he is in possession and enjoyment of the car. Hence, the Court below granted anticipatory bail to the second respondent. That apart, the second respondent duly complied with the conditions imposed by the Court below. Hence, this Court finds no grounds to cancel the order of anticipatory bail granted to the second respondent in Crl.M.P.No.6077 of 2022 dated 14.11.2022 passed by the learned Principal Sessions Judge, Kanyakumari District at Nagercoil. Accordingly, this criminal original petition is dismissed.

sd/-

14/03/2023

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/03/2023

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

GNS

TO

- 1 THE PRINCIPAL SESSIONS JUDGE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
- 2 THE INSPECTOR OF POLICE,
COLACHEL POLICE STATION,
KANYAKUMARI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP (MD) No.21322 of 2022
Date :14/03/2023

SA/SBN/SAR.3/31.03.2023/2P/4C