

27.08.2024
Sl No.221
Court No. 29
TN

CRM (DB) 2269 of 2024

In Re:- An application for cancellation of bail under Section 483(3) of the Bhartiya Nagarik Suraksha Sanhita corresponding to Section 439(2) of the Code of Criminal Procedure, 1973.

And

In the matter of: **Ms. X**

.... petitioner

Mr. Sayan Sachin Basu,
Ms. Sriya Adhikary,
Mr. Abhijit Adhikari

....for the petitioner

1. This is an application for cancellation of bail. The learned counsel has urged two points for cancellation – firstly, that the petitioner was not aware of the application in which the impugned order dated 24th June, 2024 was passed. However, surprisingly the impugned order records submission of an advocate representing the *de facto* complainant although no such advocate was appointed by the applicant. It is submitted that the question of appointing an advocate did not arise as the *de facto* complainant was never served with an application.
2. It is further submitted that in any event the accused has violated the bail conditions by intimidating the petitioner for which complaints have been lodged with the police station.
3. We feel that this matter can appropriately be dealt with by the learned trial court that had passed the order for anticipatory bail and accordingly, we dispose of this application by giving liberty to the petitioner to approach the learned trial court for cancellation upon notice to the State and the opposite parties.

4. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)