



Crl.O.P.No.2720 of 2024

Crl.O.P.No.2720 of 2024

C.V.KARTHIKEYAN, J.

The petitioner/A1 seeks anticipatory bail in Crime No.351 of 2023 registered by the respondent Police for the offences punishable under Sections 304(2) and 201 of IPC and Section 135(1)(a) of Electricity Act, 2003.

2. There are totally 4 accused. A2, A3 and A4 had been arrested and are still in custody. But however holding out an impression that A2, A3 and A4 had been granted bail, the petitioner originally obtained anticipatory bail before the learned District and Sessions Court at Villupuram District in Crl.M.P.No.10192 of 2023 by an order dated 23.11.2023.

3. Thereafter, to the misfortune of the petitioner, the application seeking bail of A2, A3 and A4 came up before this Court in Crl.O.P.No.27233 of 2023. At the time, it was informed that this petitioner had already obtained anticipatory bail.



CrI.O.P.No.2720 of 2024

WEB COPY

4. This Court had pursued the order granting anticipatory bail. It found that said anticipatory bail was granted by the learned Principal Sessions Court on the ground that A2 to A4 had been granted bail by this Court. This misrepresentation was pointed out that in CrI.O.P.No.27233 of 2023 by an order dated 18.12.2023. So far as this petitioner is concerned, he was forced to go back to answer the allegation before the Principal Sessions Judge at Villupuram that he had obtained anticipatory bail by stating that A2 to A4 already been granted bail when actually they had not been granted bail.

5. Thereafter, the learned Principal Sessions Judge, Villupuram had taken up CrI.M.P.No.10815 of 2023, which was an application seeking cancellation of anticipatory bail granted to this petitioner. That petition was filed by the Inspector of Police, Varanjaram Police Station.

6. After discussing elaborately all the various issues connected with such an application, finally by an order dated 08.01.2024, the learned Principal Sessions Judge, Villupuram cancelled the anticipatory bail granted to this petitioner.



Crl.O.P.No.2720 of 2024

WEB COPY

7.The learned Government Advocate(Crl.Side) raised an objection stating that the petitioner should actually question that order cancelling the anticipatory bail by the learned Principal Sessions Judge, Villupuram. I will give liberty to these petitioners to do so, since there is a judicial order cancelling the anticipatory bail granted to these petitioners.

8. The learned counsel for the petitioner stated that the petitioner would take necessary steps in the manner appropriate in law to question that particular order, he stated that since the petitioner had the benefit of grant of anticipatory bail, some protection should be given till he actually takes issue with respect to the order cancelling anticipatory bail is concerned.

9. Taking all those factors into consideration, without entering into any discussion on the merits of the case, this Criminal Original Petition stands dismissed. However, liberty is given to the petitioner herein to file an application seeking to set aside the order cancellation of anticipatory bail passed by the learned Principal Sessions Judge, Villupuram by an order dated 08.01.2024 in Crl.M.P.No.10815 of 2023. The said application has to be



CrI.O.P.No.2720 of 2024

filed or or before on 05.04.2024. If it is so done, then the fate of this petitioner would be the hands of the Court, wherein he files such an application. Till he files an application, the outer date of which is 05.04.2024, let no coercive action be taken against the petitioner.

25.03.2024

rjr



WEB COPY



CrI.O.P.No.2720 of 2024

C.V.KARTHIKEYAN, J.

rjr

CrI.O.P.No.2720 of 2024

25.03.2024