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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.08.2024

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CrI.O.P.No.13465 of 2024

Porkodi

... Petitioner

Vs.

1. The Inspector of Police,
Arakkonam Taluk,
Ranipet District.
(Cr.No.139 of 2024)

2.Gavasakar

3.Prabakar

... Respondents

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C. praying to cancel the bail granted to the respondents 2 and 3 in CrI.MP.No.65 of 2024 dated 08.05.2024 by the Sessions Court, Ranipet District.

For Petitioner :Ms.R.Raji

For Respondents : Mr.Leonard Arul Joseph Selvam for R1
Mr.R.Sasikumar for R2 & R3

ORDER

This Criminal Original Petition has been filed seeking cancellation of bail granted to the respondents 2 and 3 in CrI.MP.No.65 of 2024 dated 08.05.2024 by the Sessions Court, Ranipet District.



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2. The respondents 2 and 3 were arrested at the hands of the respondent police for the offence under Sections 294(b), 323, 324, 307 and 506(ii) of IPC in Crime No.139 of 2024. Subsequently, they have filed a petition, in Crl.M.P.No.65 of 2024 before the learned Principal Sessions Judge, Ranipet, seeking bail.

3. In Crl.M.P.No.65 of 2024, the learned Judge has granted anticipatory bail to the respondents 2 and 3 on 08.05.2024 on condition that they shall appear and sign before the respondent police daily at 10.30 a.m., on all working days until further orders from the next day of execution of bond before the Magistrate Court and further directed to appear before the respondent police as and when required for interrogation, on summon. Thereafter he can file a modification petition after 15 days. While so, the accused and his henchmen came to the petitioner's residence with dire consequences to withdraw the case and hence the petitioner made a complaint on 13.05.2024. The respondents 2 and 3 had violated the condition imposed in the bail order by tampering the evidence or witnesses during investigation. Hence, the defacto complainant has filed the present petition seeking cancellation of bail.



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4. Learned counsel for the petitioner has submitted that on the date of granting of bail i.e., on 08.05.2024 the victim was in the hospital but by suppressing the facts, the respondents have obtained the bail order.

5. Learned counsel appearing for the respondents 2 and 3 has submitted that the victim was discharged from the hospital on 07.05.2024 and on 08.05.2024, bail was granted to the accused. The medical record produced by the accused shows that there is no hospital seal and entries made by the hospital authorities.

6. Upon perusing the documents placed on record and hearing the submission made on either side, it is seen that the discharge summary issued by the Doctor shows that the victim was discharged from the hospital on 07.05.2024. But the petitioner has submitted that the victim was discharged from the hospital on 08.05.2024 but no proof for the same is filed on the side of the petitioner. However, the two petitioners have complied the conditions imposed by the trial court.



T.V.THAMILSELVI,J.

gv

7. In view of the above, this Criminal Original Petition stands dismissed.

01.08.2024

Index : Yes/No
Speaking/Non-speaking order
gv

To

1. The Inspector of Police,
Arakkonam Taluk,
Ranipet District.
(Cr.No.139 of 2024)

2.The Public Prosecutor,
High Court, Madras.

CrI.O.P.No.13465 of 2024

01.08.2024