



CRL.M.P.No.14760 of 2024

CRL.M.P.No.14760 of 2024 in
CRL.M.P.No.15973 of 2018

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M.DHANDAPANI.,J.

This petition is filed under Sections 483 of BNSS Act in Cr.No.284 of 2018 to cancel the order of anticipatory bail granted to the respondents 1 and 2 herein in CrI.O.P.No 15973 of 2018 vide order dated 11.08.2018 .

2.The case of the prosecution is that the defacto complainant's brother Kamaraj purchased the property measuring an extent of 26 cents along with one Leelabai, from one Mary Thomas, through her power of attorney Robert Gnanasekaran. The said Kamaraj settled his share of 13 cents in favour of the de-facto complainant and the same was registered in Doc.No.2832 of 2012, dated 12.05.2012. However, the respondents 1 and 2 created forged documents and sold the very same subject property in favour of one Mohammed Marzook. Hence, the petitioner/de-facto complainant lodged a complaint against the respondents 1 and 2. Thereafter, the respondents 1 and 2 filed an application seeking anticipatory bail before this Court in CrI.O.P.No.15973 of 2018 and this Court vide order dated 11.08.2018 granted anticipatory bail directing the respondents 1 and 2 to



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surrender before the trial Court, however, the second respondent who is the wife of the first respondent has not appeared before the trial Court. As against the first and second respondents another FIR was registered in Crime No.418 of 2014. Thereafter, the respondents 1 and 2 filed an application to quash Crime No.418 of 2014, which was dismissed by this Court. Since the respondents 1 and 2 has not complied with the order passed by this Court in Crl.O.P.No.15973 of 2018, the petitioner has filed the present Criminal Miscellaneous petition seeking to cancel the anticipatory bail granted in their favour.

3. The learned counsel appearing for the petitioner/De-facto complainant submitted though this Court vide order dated 11.08.2018 has granted anticipatory bail to the respondents 1 and 2, however, the respondents 1 and 2 has not complied with the said order. Accordingly, he prayed for passing appropriate orders.

4.The learned Government Advocate appearing for the second respondent submitted that this Court vide order dated 11.08.2018 has already granted anticipatory bail to the respondents 1 and 2, subject to



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certain conditions, failing compliance of the said conditions, the anticipatory bail granted to the respondents 1 and 2 will automatically stand cancelled.

Hence, the prayer sought for by the petitioner / de-facto complainant seeking to cancel the anticipatory bail granted to the respondents 1 and 2 in Crl.O.P.No.15973 of 2018 dated 11.08.2018 does not require any interference of this Court.

5. As rightly pointed out by the learned Government Advocate appearing for the second respondent, though this Court has already granted anticipatory bail to the respondents 1 and 2 subject to certain conditions, however, failing compliance of the said conditions, the anticipatory bail granted in their favour automatically stands cancelled. Hence, the prayer sought for in the present petition does not require any interference of this Court.

6. Accordingly, the petition seeking cancellation of anticipatory bail is dismissed.

06.11.2024

Index : Yes/No
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