



Crl.M.P.No.14734 of 2024
in Crl.O.P.No.17028 of 2024

A.D.JAGADISH CHANDIRA, J.

This petition has been filed to cancel the anticipatory bail granted to the respondents 1 to 3/accused herein by this Court in Crl.O.P.No.17028 of 2023 dated 27.09.2023.

2.The learned counsel for the petitioner/defacto complainant would submit that based on the complaint given by the defacto complainant, the case in Crime No.888 of 2022 came to be registered against the respondents 1 to 3/accused for the offences under Sections 406, 420 and 506(1) of IPC. The respondents 1 to 3/accused have approached this Court in Crl.O.P.No.17028 of 2023 seeking for anticipatory bail and this Court, while granting anticipatory bail to the petitioners therein on 27.09.2023, had imposed a condition that the petitioners shall deposit an amount of Rs.36,00,000/- to the credit of Crime No.888 of 2022 before the concerned Magistrate, within a period of eight weeks, failing which the anticipatory bail granted shall stand dismissed. Subsequently, the respondents 1 to 3/accused have filed an application seeking for extension of time and this Court, by order dated 15.02.2024, had extended the time by three weeks to comply with the order in Crl.O.P.No.17028 of 2023. Even thereafter, the



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respondents 1 to 3/accused, having given an undertaking and also after obtaining extension of time for depositing the amount, have not paid the amount till date and thereby he would seek that the order of anticipatory bail should be dismissed for non-compliance.

3.The learned counsel appearing for the respondents 1 to 3/accused would submit that the respondents 1 to 3/accused were granted anticipatory bail and subsequently on the petition filed by the respondents/accused, the time was extended by three weeks by order dated 15.02.2024, however, he would submit that due to their financial condition, the respondents/accused were unable to deposit the amount. He would further submit that the respondents/accused are taking steps to comply with the condition and thereby would seek for extension of time.

4.The learned Government Advocate (Crl. Side) would submit that investigation is pending and the respondents/accused have not complied with the condition and the period for compliance has also lapsed.

5.Heard the learned counsel on either side and perused the materials available on record.



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6. Having gone through the records, this Court finds that while granting anticipatory bail, this Court had directed the respondents/accused to deposit a sum of Rs.36,00,000/-, within a period of eight weeks, failing which the anticipatory bail granted shall stand dismissed. Subsequently, the respondents/accused have also approached this Court and sought for extension of time and this Court, by order dated 15.02.2024, had granted extension of time by three weeks. Even thereafter, the respondents/accused have not complied with the condition. This Court itself has held that in the event of non-compliance of the condition, the anticipatory bail granted shall stand automatically dismissed.

7. Accordingly, this criminal miscellaneous petition stands allowed and the anticipatory bail granted to the respondents 1 to 3/accused herein dated 27.09.2023 in CrI.O.P.No.17028 of 2023 is hereby cancelled. The 4th respondent police is directed to secure the respondents 1 to 3/accused and proceed in accordance with law in Crime No.888 of 2022.

07.11.2024

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