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Criminal Original Petition No.1648 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.1648 of 2024

Anbalagan
S/o.Mani

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
District Crime Branch,
Vellore.

2.The Inspector of Police,
District Crime Branch,
Vellore District.
Crime No.6 of 2022

... Respondents

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the second respondent to secure the accused Chandran S/o.Varadharajan involved in Crime No.6 of 2022 on the file of second respondent herein whose anticipatory bail application granted in CrI.O.P.No.14775 of 2022 was cancelled pursuant to the order passed in CrI.M.P.No.2183 of 2023 in CrI.O.P.No.14775 of 2022 dated 09.08.2023 on the file of this Court within the time stipulated by this Court.



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For Petitioner : Mr.T.Muruganantham
For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This petition has been filed for a direction to the second respondent to secure the accused person pursuant to the order passed in CrI.M.P.No.2183 of 2023 in CrI.O.P.No.14775 of 2022 dated 09.08.2023, cancelling the anticipatory bail granted in his favour.

2. Heard Mr.T.Muruganantham, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for respondents.

3. When the matter was taken up for hearing, it was brought to the notice of this Court that investigation has been completed and final report has been filed before the learned Judicial Magistrate, Katpadi and the accused person seems to have surrendered before the learned Judicial Magistrate and the learned Judicial Magistrate had directed the accused person to execute two new sureties for a sum of Rs.10,000/- u/s.88



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Cr.P.C. The accused was also directed to appear before the learned Judicial Magistrate.

4. In the considered view of this Court, in the light of the above development, the prayer as sought for by the petitioner cannot be granted by this Court. If the petitioner is aggrieved by the order passed by the Court below, it is left open to the petitioner to challenge the same in accordance with law. Ultimately, if this Court is to interfere with the bail granted in favour of the accused person, he must be put on notice and he must be heard and thereafter, orders can be passed.

In the result, this Criminal Original Petition is closed by granting liberty to the petitioner to challenge the order passed by the Court below and work out his remedy in the manner known to law.

31.01.2024

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

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N.ANAND VENKATESH, J.

gm

To

- 1.The Judicial Magistrate,
Katpadi.
- 2.The Deputy Superintendent of Police,
District Crime Branch,
Vellore.
- 3.The Inspector of Police,
District Crime Branch,
Vellore District.
Crime No.6 of 2022
- 4.The Public Prosecutor,
High Court, Madras.

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