



CRL MP(MD) No.4901 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Monday, the Twenty Fourth day of June Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CrI.M.P(MD) Nos. 4901 & 6074 of 2024

in

CrI.O.P(MD) No.23040 of 2023

CRL.MP(MD).4901/2024:

S.KANNAN

... PETITIONER/INTERVENING PETITIONER

Vs

1 RAJARAM

... 1st RESPONDENT/PETITIONER

2 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
VIRUDHUNAGAR DISTRICT
CR.No.18/2023

... 2nd RESPONDENT/RESPONDENT

Prayer in CRL MP(MD). 4901/ 2024 :

Criminal Miscellaneous Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to Cancel the Anticipatory bail granted to the 1st Respondent by this Honourable Court in CrI.O.P.(MD).No.23040/2023 dt 04.01.2024 and thus render justice.

CRL.MP(MD).6074/2024:

RAJARAM

... PETITIONER/ ACCUSED 1



CRL MP(MD) No.4901 of 2024

Vs

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THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
VIRUDHUNAGAR DISTRICT
CR.No.18/2023

... RESPONDENT/COMPLAINANT

Prayer in CRL MP(MD). 6074/ 2024 :

To modify the condition imposed in Para No.7(B) as per the order 04.01.2024 in CrI.O.P.(MD).No.23040/2023 on the file of this Honourable Court and thus render justice.

Order : These Criminal Miscellaneous Petitions coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/s.JEENA RITA DAVID, Advocate for M/S.POLAX LEGAL SOLUTION, for the petitioner in CRL.MP(MD).4901/2024 and Mr.E.MAREESKUMAR, Advocate for the Petitioner in CRL.MP(MD).6074/2024 & for the 1st Respondent in CRL.MP(MD).4901/2024 and of Mr.P.KOTTAI CHAMY, Government Advocate(crl.side) on behalf of the 2nd Respondent in CRL.MP(MD).4901/2024 & for the Respondent in CRL.MP(MD).6074/2024, the court made the following order:-

The Criminal Miscellaneous Petition in CrI.M.P.(MD)No.4901 of 2024 is filed by the defacto complainant to cancel the order of anticipatory bail granted to the first respondent / accused in (*)CrI.O.P(MD) No.23040 of 2023, dated 04.01.2024.

2.The learned counsel for the petitioner / defacto complainant in CrI.M.P.(MD) No.4901 of 2024 submits that the accused obtained anticipatory bail on assurance that the accused would deposit a sum of Rs.5,00,000/- (Rupees Five Lakhs only) to the defacto complainant, but, the same was not complied with by the accused.

3.The learned Counsel for the first respondent in CrI.M.P.(MD)No.4901 of 2024



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submits that first respondent/accused is suffering with some ailments, therefore, he could not comply with the condition. Therefore, he has also filed an application in Cr.M.P.No.6074 of 2024 to modify the condition imposed on the first respondent/accused in CrI.OP.(MD)No.23040 of 2023.

4.This Court considered the rival submissions made

5.The respondent/accused has obtained anticipatory bail in CrI.O.P.(MD) No.23040 of 2023 on an assurance given by him. Admittedly, the accused has not paid the amount as agreed by him. Though the anticipatory bail was granted to the accused on the assurance given by him, he failed to comply with it. The fact remains that the earlier order was passed on 04.01.2024. This Court is not in a position to understand under what circumstances the condition has been imposed on the first respondent/accused by this Court. If he was not inclined to accept the condition, he should have filed an application at the earliest.

6.Considering the facts and circumstances of the case and also considering the rival submissions, this Court is not inclined to modify the condition but this Court is inclined to cancel the anticipatory bail granted to the accused in (*)CrI.O.P(MD) No. 23040 of 2023, on 04.01.2024.

7.Accordingly, the CrI.M.P.(MD)No.4901 of 2024 in (*)CrI.O.P.(MD)No.23040 of 2023 is allowed and the CrI.M.P.(MD)No.6074 in (*)CrI.O.P.(MD)No.23040 of 2023 is



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dismissed. The anticipatory bail granted to the accused in (*)Crl.O.P(MD) No. 23040

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of 2023, on 04.01.2024 is hereby cancelled.

sd/-

24/06/2024

(*)Corrected as per order of this
Hon'ble Court in CRL MP(MD).4901 &
6074 of 2024 in CRL OP(MD).23040 of
2023 Dated 16/10/2024

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/10/2024

Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

JBR
TO

TO BE SUBSTITUTED WITH THE ORDER ALREADY DESPATCHED ON
24/07/2024

1 THE JUDICIAL MAGISTRATE NO.II,
VIRUDHUNAGAR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, VIRUDHUNAGAR DISTRICT

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M/S.POLAX LEGAL SOLUTIONA, Advocate (SR-7015[I] dated
26/06/2024)



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CRL MP(MD) No.4901 of 2024

ORDER

IN

CrI.M.P(MD) Nos. 4901 & 6074 of 2024

in

CrI.O.P(MD) No.23040 of 2023

Date :24/06/2024

SA/JGB/SAR. /22.07.2024/5P/6C

RS/VR/SAR. /21.10.2024/5P/6C

Madurai Bench of Madras High Court is issuing
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