



CRL MP(MD) No.6810 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Twenty Ninth day of July Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL MP(MD) No.6810 of 2024

IN

CRL OP(MD) No.5043 of 2021

R.MOHANRAJ

... Petitioner / Petitioner

Vs

1 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
THENI DISTRICT.
(CRIME NO. 15/2019)

2 P.ARUN BABU

... Respondents / Respondents

Criminal Miscellaneous Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to issue a direction to direct the learned Judicial Magistrate Theni to comply with the order of this Honourable Court in CrI.O.P.(MD).No.5043/2021 dt 26.07.2021 and to secure the Second Respondent accused.

Order : This criminal miscellaneous petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/s.L.MAITHILI, Advocate for the petitioner and of Mr.R.M.ANBUNITHI, Additional Public Prosecutor on behalf of the Respondent No.1, the Court made the following order:-



CRL MP(MD) No.6810 of 2024

WEB COPY

This Criminal Miscellaneous Petition has been filed to direct the learned Judicial Magistrate, Theni, to comply with the order of this Court in CrI.OP(MD) No.5043 of 2021, dated 26.07.2021 and to secure the second respondent / Accused.

2.The learned counsel for the petitioner submitted that the second respondent herein is the sole accused and he has released on bail by the learned Judicial Magistrate, Theni in CrI.MP.No.2585 of 2020 on 05.12.2020. Challenging the same, the petitioner / defacto complainant filed a petition in CrI.OP(MD)No.5043 of 2021 before this Court for cancellation of bail. By the order dated 26.07.2021, this Court disposed of the above said petition with a following direction;-

The second respondent / accused to produce the original title deed during the hearing in CrI.OP(MD)No.3695 of 2020 within a period of 30 days from the date of receipt of a copy of the order before the concerned Court, failing such production, the bail granted to the second respondent / accused in Cr.MP.No.2585 of 2020, on 05.12.2020 by the learned Judicial Magistrate, Theni, shall stand automatically cancelled. Then, the learned Judicial Magistrate, Theni is directed to take steps to secure the second respondent / accused and remand him into judicial custody for facing the trial.

3. However, till date, the second respondent / accused has not produced the original title deed. The learned Judicial Magistrate, Theni, has also not taken any



CRL MP(MD) No.6810 of 2024

steps to secure the second respondent / accused. Hence, this petition.

WEB COPY

4.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent police.

5.Considering the submission made by both sides, the learned Judicial Magistrate, Theni, is directed to comply with the order passed by this Court in CrI.OP(MD)No.5043 of 2021 dated 26.07.2021 within a week from the date of receipt of a copy of this order.

6.The Criminal Miscellaneous Petition is ordered accordingly.

sd/-
29/07/2024

/ TRUE COPY /

/08/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

To

1.The Judicial Magistrate,
Theni.

2.Do through the Chief Judicial Magistrate,
Theni District.



CRL MP(MD) No.6810 of 2024

3.The Inspector of Police,
District Crime Branch,
Theni District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL MP(MD) No.6810 of 2024
IN
CRL OP(MD) No.5043 of 2021
Date :29/07/2024

ED/ GS /SAR- (05/08/2024) 4P / 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023