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Crl.O.P.Nos.3595 & 3597 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.02.2025

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAYAN

Crl.O.P.Nos.3595 and 3597 of 2025

U. Nawaz	..	Petitioner in Crl.O.P.No.3595 of 2025
A. Aarif @ Appu	..	Petitioner in Crl.O.P.No.3595 of 2025

-VS-

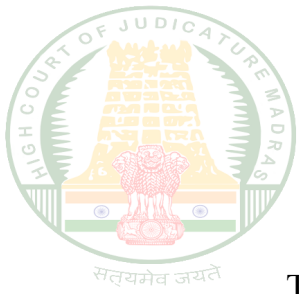
State represented by the Inspector of Police, Hosur Town Police Station, Krishnagiri District (Crime No.779 of 2023)	..	Respondent in both petitions
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Prayer: Criminal Original Petitions filed under section 528 of BNSS Act to call for the records and to set aside the order in Crl.M.P.Nos.3529 and 3530 of 2024 dated 20.09.2024 on the file of Principal Sessions Judge at Krishnagiri.

For Petitioner in both petitions : Mr. S. Varanesh

For respondent in both petitions : Mr. A. Gopinath,
Govt. Advocate (crl.side)

ORDER



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These Criminal Original Petitions are filed praying to set aside the order in Crl.M.P.Nos.3529 & 3530 of 2024 dated 20.09.2024 on the file of Principal Sessions Judge at Krishnagiri.

2. These petitions have been filed challenging the order passed in Crl.M.P.No.3529 and 3530 of 2024 cancelling the bail granted to the petitioners in Crl.M.P.No.2146 of 2024 on 20.06.2024 .

3. It is a case of double murder, in which, the petitioners were arrested and subsequently released on bail in Crl.M.P.No.2146 of 2020. After coming out from prison, the petitioners have once again threatened the defacto complainant and the enquiry on the complaint lodged by the defacto complainant is still pending. Therefore, the prosecution has filed an application to cancel the bail granted to the petitioners herein.

4. The learned counsel for the petitioners contended that the petitioners are accused in Cr.No.779 of 2023 on the file of the respondent. It is the case of the petitioners that without giving notice to them, the impugned order was passed. The petitioners were not served



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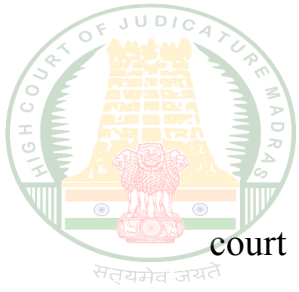
with any notice before cancelling the bail granted to them.

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5. The learned Govt. Advocate (crl.side) submitted that these petitioners were released on bail in Cr.No.779 of 2023 involving double murder case, these petitioners contacted their associates over phone and asked them to threaten the other witnesses in double murder case. Moreover, A3/petitioner in Crl.O.P.No.3597 of 2025 is having life threat. Having regard to the threatening made by the petitioners, a complaint has been lodged and investigation on the same is also pending.

6. Perusal of records reveal that notice was issued to the petitioner. On cancellation of bail, the respondent attempted to serve notice on the petitioners, but they have refused to receive the same. Therefore, it amounts to sufficient service of notice and the trial court rightly passed an order.

7. That apart, the petitioners have violated the conditions imposed on them by threatening the defacto complainant. Therefore, this



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court finds no infirmity in the order passed by the tribunal. Hence, this
criminal original petitions are dismissed.

19.02.2025

msr
Index:yes/no
Internet:yes/no
speaking order/non-speaking order.

To

The Principal Sessions Judge at Krishnagiri.

G.K. ILANTHIRAIYAN, J.

msr



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