



Crl.O.P.No.12017 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

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1.Wilson
2.Venkatesan

.... Petitioners

Vs

1.The State of Tamil Nadu
represented by
The Inspector of Police,
Auroville Police Station,
Auroville, Thiruchitrambalam
Villupuram.

2.Dr.T.C.Mohanam

.... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the order in C.M.P No.2633 of 2024 dated 15.11.2024 passed by the learned Judicial Magistrate, Vanur.

For Petitioners : Mr.S.Lakshmikanth

For R1 : Mr.A.Gopinath
Government Advocate (Crl.Side)

For R2 : Mr.V.Babu



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ORDER

This Criminal Original Petition has been filed challenging

the order dated 15.11.2024 passed in CMP No.2633 of 2024 by the Judicial Magistrate, Vanur, thereby cancelling the anticipatory bail granted to the petitioners.

2. The petitioners are arrayed as A7 and A8 in Crime No.86 of 2023 registered for the offences under Sections 147, 148, 447, 427 and 506(2) of IPC. Apprehending arrest at the hands of the respondent, the petitioners filed an application for anticipatory bail in CMP No.2092 of 2024 before the Principal Sessions Judge, Villupuram and were granted anticipatory bail on condition that they shall appear before the respondent police. However, the petitioners failed to comply with the condition and did not appear before the respondent.

3. On instruction, the learned Government Advocate (Crl.Side) appearing for the first respondent submitted that the charge sheet has been filed and the same has been taken cognizance in S.C.No.80 of 2024 by the Additional Sub Judge No.I, Tindivanam. He further submitted that the petitioners have appeared before the Trial Court.



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4. The learned counsel appearing for the second respondent submitted that the petitioner did not even appear before the first respondent even for a single day. Therefore, he vehemently opposed to set aside the order passed by the Judicial Magistrate, Vanur.

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

6. Admittedly, since the petitioners have appeared before the Trial Court and the charge sheet has already been filed, no purpose would be served by securing the petitioners in connection with Crime No.86 of 2023 at this stage.

7. In view of the above, this Court is inclined to set aside the order dated 15.11.2024 passed in CMP No.2633 of 2024 by the Judicial Magistrate, Vanur, on condition that the petitioners shall appear before the Trial Court daily morning at 10.30 a.m., for a period of thirty days and thereafter, shall appear before the Trial Court on all hearing dates without fail.



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8. With the above direction, this Criminal Original Petition

stands allowed.

22.04.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
Lpp

To

1. The Additional Sub Judge No.I,
Tindivanam.

2.The Judicial Magistrate,
Vanur.

3.The Inspector of Police,
Auroville Police Station,
Auroville, Thiruchitrambalam
Villupuram.

4. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN, J.

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