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Crl.M.P.Nos.13319 and 13320 of 2025 in
Crl.O.P.No.3643 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2025

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THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Crl.M.P.Nos.13319 and 13320 of 2025

in

Crl.O.P.No.3643 of 2025

1.Dr.D.V.Sudhakar

2.T.Naveen Kumar ... Petitioners in Crl.M.P.No.13319 of 2025

1.N.Karunakaran

2.Mrs.K.Malarkodi ... Petitioners in Crl.M.P.No.13320 of 2025

.Vs.

The State, represented by
The Inspector of Police,
T-4, Maduravoyal Police Station,
Chennai.

(Crime No.1163 of 2024) ... Respondent in Crl.M.P.No.13319 of 2025

1.Dr.V.Sudhakar

2.T.Naveen Kumar ... Respondents in Crl.M.P.No.13320 of 2025



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Crl.O.P.No.3643 of 2025

PRAYER in Crl.M.P.No.13319 of 2025: Criminal Miscellaneous Petition filed under Section 528 of BNSS, 2023, to modify the order dated 27.03.2025 passed in Crl.O.P.No.3643 of 2025 in the light of the breach of the settlement conditions committed by the de-facto complainants.

PRAYER in Crl.M.P.No.13320 of 2025:-Criminal Miscellaneous Petition filed under Section 528 of BNSS, 2023, to cancel the anticipatory bail granted to the 1st and 2nd respondents/accused herein in Crl.O.P.No.3643 of 2025, dated 27.03.2025.

Crl.M.P.No.13319 of 2025:-

For Petitioners : Mr.N.Ramakrishnan
For Respondent : Mr. L.Baskaran
Government Advocate (Crl.Side)

Crl.M.P.No.13320 of 2025:-

For Petitioners : M/s.A.Shanthi
For R1 : Mr.N.Ramakrishnan
For R2 : Mr.L.Baskaran,
Government Advocate (Crl.Side)

COMMON ORDER



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On 27.03.2025, this Court, after hearing the counsels and considering the reasons stated for seeking anticipatory bail, passed a conditional order and granted bail. Having enjoyed the benefit of anticipatory bail, the petitioners herein have not complied with the condition imposed. The petitioners has now filed Crl.M.P.No.13319 of 2025 seeking modification of the order dated 27.03.2025. Meanwhile, the de-facto complainant has filed a petition seeking cancellation of the anticipatory bail on the ground that the petitioners have failed to comply with the undertaking given while seeking anticipatory bail.

2. This Court is of the considered view that a bail condition cannot be converted into a recovery proceeding. Since prima facie material is available to proceed against the petitioners, the respondent Police have registered a complaint and taken up the matter for investigation. In such circumstances, based on the undertaking given by the accused, this Court had earlier passed a conditional order granting bail. However, the accused has failed to comply with the conditional order and yet seeks to enjoy the benefit of bail granted to him.

3. This Court finds that the petition for cancellation of bail



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deserves to be allowed, and the petition seeking modification of the order dated 27.03.2025 is devoid of merits.

4. Accordingly, Crl.M.P.No.13319 of 2025 is dismissed and Crl.M.P.No.13320 of 2025 is allowed.

12.08.2025

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To

1. The Judicial Magistrate No.II, Poonamallee.
2. The Inspector of Police,
T-4, Maduravoyal Police Station,
Chennai.
3. The Public Prosecutor,
High Court of Madras.

DR.G.JAYACHANDRAN, J.



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