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CrI.O.P.No.18205 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

CrI.O.P.No.18205 of 2025

Rithish

... Petitioner

Vs.

The State of Tamil Nadu
rep. by the Inspector of Police
V-6 Kolathur Police Station
Chennai - 600 082

... Respondents

Prayer: Criminal Original Petition filed under Section 528 of B.N.S.S., to call for the records pertaining to the order dated 15.05.2025 in CrI.M.P.No.5086 of 2025 on the file of the learned XIII Metropolitan Magistrate, Egmore, Chennai and set aside the said order cancelling bail.

For Petitioner	: Mr.D.Prasanna Kumar
For Respondent	: Dr.C.E.Pratap
	Government Advocate (CrI. Side)



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ORDER

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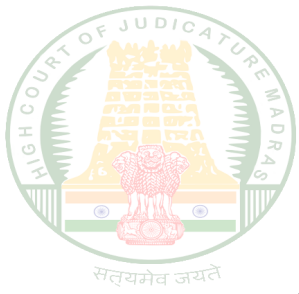
This Criminal Original Petition has been filed by the petitioner/accused to set aside the order dated 15.05.2025 in Crl.M.P.No.5086 of 2025 on the file of the learned XIII Metropolitan Magistrate, Egmore, Chennai, whereby cancelled the bail granted to the petitioner.

2. Heard both sides and perused the materials available on record.

3. It is seen that this Court had granted bail to the petitioner vide order dated 30.01.2025 in Crl.O.P.No.2148 of 2025 in connection with Crime No.08 of 2025 registered on the file of the respondent police by imposing certain conditions. It is further seen that after coming out on bail, the petitioner failed to comply with the following conditions imposed by this Court and remained absconding:

"(b) the petitioners shall report before the respondent police daily at 06.30 p.m., until further orders;

"(c) the petitioner shall not abscond either during investigation or trial"



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4. Therefore, the respondent police filed a petition in CrI.M.P.No.5086 of 2025 before XIII Metropolitan Magistrate, Egmore, Chennai, seeking cancellation of bail granted by this Court dated 30.01.2025 and the learned Magistrate, after enquiry, cancelled the bail granted to the petitioner vide order dated 15.05.2025 for non compliance of bail conditions by citing the decisions of the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala reported in (2005) AIR SCW 5560.***

5. According to the petitioner, he was remanded in some other case and therefore, he could not report before the respondent police and comply with the said conditions.

6. It is to be noted that this Court had granted bail to the petitioner subject to certain conditions. Then it is the duty of the petitioner/accused to comply with the said conditions failing which, he will not be entitled for bail. If at all the accused is unable to comply with the conditions imposed by the



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Court for any valid reason, he has to intimate the same to the appropriate

authority, either to the Court or to the police as the case may be in accordance with law. In this case, the petitioner has failed to do so. Therefore, the petitioner is not entitled to the relief sought for.

7. Accordingly, this Criminal Original Petition is dismissed.

8. However, the petitioner is at liberty to work out his remedy in the manner known to law.

04.07.2025

Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To

1. The XIII Metropolitan Magistrate,
Egmore, Chennai

2. The Inspector of Police
V-6 Kolathur Police Station
Chennai - 600 082

3. The Public Prosecutor
High Court of Madras, Chennai.



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P.VELMURUGAN,J.

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