



CRL M.P. No.15744 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

Dated : 28.01.2025

CORAM

The Hon'ble Mr.Justice P.DHANABAL

Crl. M.P. No.15744 of 2024
in Crl. O.P. No.21202 of 2024

Arangannal S/o. Arangathirumai Petitioner /
Defacto complainant.

VS

1. State represented by:-

The Inspector of Police,
District Crime Branch Police Station,
Namakkal District.
[Cr. No.9 of 2024].

... 1st Respondent /
Complainant

2. Aravind Kumar S/o. Loganathan ... 2nd Respondent / Accused

PRAYER:- The Criminal Original Petition is filed under Section 483(3) of B.N.S..S. praying to cancel the bail granted to the 2nd respondent / Accused vide order passed in Crl. O.P. No.21202 of 2024 dated 09.09.2024.



CRL M.P. No.15744 of 2024

WEB COPY

For Petitioner : Mr. T. Arul

For Respondents : Mr. S. Balaji [for R1]
Govt. Advocate (Crl. Side)

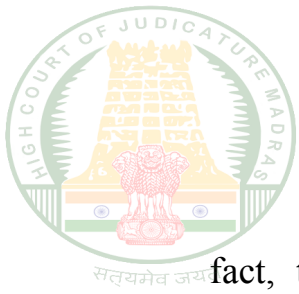
Mr. D. Ananthapadmanabhan
for Ms. P. Shaganya [for R2]

ORDER

This petition has been filed by the petitioner to cancel the bail granted to the 2nd respondent in Crl. O.P. No.21202 of 2024 dated 09.09.2024.

2. The learned counsel appearing for the petitioner would contend that he is the defacto complainant in this case and he lodged a complaint against the 2nd respondent / accused before the 1st respondent police and they registered the case in Cr. No.9 of 2024 for the offences under Sections 420 and 114 of IPC and after registration of FIR, the 2nd respondent approached this Court by filing a petition in Crl. O.P. No.21202 of 2024 praying to grant bail and this Court granted bail to the 2nd respondent. At the time of filing of bail petition, the 2nd respondent suppressed the fact that he had involved in various criminal cases. In

2/7

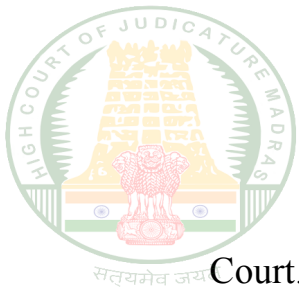


CRL M.P. No.15744 of 2024

fact, the 2nd respondent has 11 previous cases in various districts.

Further, the 2nd respondent also has not complied the conditions imposed by this Court in the bail order and huge money is involved in this case and therefore, the bail granted to the 2nd respondent / accused has to be cancelled.

3. The learned counsel appearing for the 2nd respondent / accused would submit that the petitioner has lodged a false complaint against the 2nd respondent and based on the false complaint, the respondent police have registered a false case against the 2nd respondent and the 2nd respondent was arrested and remanded to judicial custody on 16.07.2024 and thereafter, he approached this Court for grant of bail and this Court also granted bail on condition that the 2nd respondent shall appear before the respondent police daily at 10 a.m. until further orders. The 2nd respondent also complied the condition without fail and thereafter, he approached this Court by filing a petition in Crl. M.P. No.13942 of 2024 for relaxation and this Court also relaxed the condition in toto. The 2nd respondent has one previous case and the same was also disclosed to this



CRL M.P. No.15744 of 2024

WEB COPY

Court. He has not suppressed any fact. Hence there are no grounds to cancel the bail granted by this Court to the 2nd respondent and hence prayed to dismiss the petition for cancellation of bail.

4. The learned Government Advocate (Criminal side) appearing for the 1st respondent would submit that already this Court granted anticipatory bail to the 2nd respondent on condition to appear before the respondent police daily until further orders and he has also complied the conditions without fail and thereafter, the condition was also relaxed.

5. Heard both sides' arguments and perused the materials available on record.

6. In this case, based on the complaint given by the petitioner, case against the 2nd respondent was registered for the offences under Sections 420 and 114 of IPC and the 2nd respondent / accused was arrested and remanded to judicial custody on 16.07.2024 and thereafter, the 2nd respondent approached this Court for grant of bail by filing a



CRL M.P. No.15744 of 2024

petition in Crl. O.P. No.21202 of 2024 and this Court also granted bail to the 2nd respondent on condition that the 2nd respondent shall appear before the respondent police until further orders.

7. This Court at the time of granting bail observed that there is a money dispute pending between the parties and also there is no previous case against the 2nd respondent and also considering the period of incarceration of the 2nd respondent, granted bail to the 2nd respondent. Though this Court recorded that there is no previous case pending against the 2nd respondent, this Court has not granted bail, only on the ground that there is no previous case against the 2nd respondent.

8. Even according to the petitioner, there are no records to show that there are 12 previous cases pending against the 2nd respondent. During the course of arguments, the learned counsel appearing for the 2nd respondent fairly admitted that he has only one previous case. The condition imposed for granting bail, was also complied by the 2nd respondent without fail and subsequently the condition was also relaxed by this Court. Therefore, there are no grounds to cancel the bail granted



CRL M.P. No.15744 of 2024

WEB COPY

to the 2nd respondent and this petition is devoid of merits and hence the same is liable to be dismissed.

9. Accordingly, the Criminal Miscellaneous Petition is dismissed.

28.01.2025

index: Yes/No
Internet: Yes/No
Speaking/Non Speaking order
mjs

To

1. The Public Prosecutor, High Court, Madras.
2. The Inspector of Police, District Crime Branch Police Station, Namakkal District.



WEB COPY



CRL M.P. No.15744 of 2024

P.DHANABAL,J

mjs

CCRL M.P. No.15744 of 2024
in CrI. O.P. No.21202 of 2024

28.01.2025