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*Crl.M.P.No.2347 of 2025 in Crl.O.P.No.19795 of 2024*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-12-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

**CRL MP NO.2347 of 2025  
in CRL OP NO.19795 of 2024**

S. Jayasamraj ... Petitioner/ Defacto complainant

Vs

1. Mohamed Abusalihu ... 1<sup>st</sup> Respondent/ Accused
2. State through,  
The Inspector of Police,  
R-11, Ramapuram Police Station,  
Chennai. (Crime No.105 of 2024) ... 2<sup>nd</sup> Respondent/ Complainant

**PRAYER:** This criminal miscellaneous petition has been filed under Section 439(2) of BNSS to cancel the anticipatory bail granted to the first respondent herein by this Court in Crl.O.P.No.19795 of 2024 dated 21.08.2024.

**For Petitioner(s)** : M/s. S. Kowsalya  
For Mr. T. Mohan

**For R1** : Not ready in notice

**For R2** : M/s. J.R. Archana  
Government Advocate (Crl.Side)

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## **ORDER**

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This criminal miscellaneous petition has been filed by the defacto complainant/ petitioner, to cancel the anticipatory bail granted to the first respondent herein by this Court in Crl.O.P.No.19795 of 2024 dated 21.08.2024 on the ground that the first respondent herein had not complied with the anticipatory bail conditions imposed on him by this Court.

2. The learned counsel for the petitioner/ defacto complainant submitted that the first respondent herein had not complied with the anticipatory bail conditions imposed on him by this Court, vide order dated 21.08.2024 in Crl.O.P.No.19795 of 2024 and he is not present in the address mentioned by him in the anticipatory bail application for the past five years; that at the time of obtaining anticipatory bail, the first respondent had stated his address, as mentioned in his Aadhaar Card; that the first respondent has left India and went to some other country, hence prays to cancel the anticipatory bail granted by this Court to the first respondent herein.

3. Though the notice was sent on the first respondent herein, it is returned as “no such person residing in the said address”.



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4. The learned Government Advocate (Crl. Side) appearing for the second respondent herein submitted that the petitioner is not residing in the address, as mentioned by him in the anticipatory bail application; that further submitted that the petitioner neither executed sureties nor complied with the conditions as imposed on him by this Court, vide order dated 21.08.2024 in Crl.O.P.No.19795 of 2024.

5. Considering the above facts, nature of offence, taking note of the fact that the first respondent herein had obtained anticipatory bail without staying in the address mentioned by him in the anticipatory bail application and also so far not complied with the anticipatory bail conditions imposed on him, this Court is inclined to cancel the anticipatory bail granted to the accused/ first respondent herein, vide order dated 21.08.2024 in Crl.O.P.No.19795 of 2024.

6. Accordingly, this criminal miscellaneous petition is allowed.

**02.12.2025**

stn

**K. RAJASEKAR, J.**



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stn

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To

1. The Inspector of Police,  
R-11, Ramapuram Police Station,  
Chennai. (Crime No.105 of 2024)
2. The Public Prosecutor,  
High Court of Madras.

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in CRL OP NO.19795 of 2024**

**02.12.2025**