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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.01.2025

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.M.P.(MD) No.288 of 2025
in
Crl.O.P.(MD) No.10657 of 2024

Saravanan

... Petitioner

Vs.

1.The Inspector of Police,
SS Colony Police Station,
Madurai City.
(In Crime No.206 of 2024)

...1st Respondent/Complainant

2.Motchmeri @ Modsameri

... 2nd Respondent/Sole Accused

Prayer: Criminal Miscellaneous Petition filed under Section 439(2) r/w. Section 483
(2) of B.N.S.S. seeking to cancel the anticipatory bail granted in Crl.O.P.(MD)
No.10657 of 2024 dated 30.07.2024.



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For Petitioner : Mr.J.Yogeswaran

For R1 : Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)

For R2 : Mr.D.Packiaraj

ORDER

This Criminal Miscellaneous Petition has been filed to cancel the anticipatory bail granted to the second respondent in CrI.O.P.(MD) No.10657 of 2024 by an order dated 30.07.2024.

2. When the matter came up for hearing on 21.01.2025, this Court passed the following order:

“When the matter was taken up for hearing today, the learned Government Advocate, on instructions, submitted that the second respondent after obtaining anticipatory bail from this Court did not take steps to execute the sureties and the time fixed by this Court has already expired.

2. The learned counsel for the petitioner submitted that he attempted to serve the copies on the learned counsel who appeared on behalf of the second respondent and the same was refused and hence, the copy of the petition has also been sent to the accused



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person by post.

3. The first respondent police shall inform the second respondent that the matter stands posted for hearing on 28.01.2025.

The petitioner shall also take private notice to the second respondent returnable by 28.01.2025.

4. Post this case on 28.01.2025.”

3. When the matter was taken up for hearing today, the learned counsel appearing on behalf of the second respondent submitted that there was some lack of communication on the side of the lower court counsel and that apart, the second respondent is indisposed and, therefore, did not take steps to execute the bond and sureties.

4. This Court is not convinced with the reasons assigned by the second respondent for not complying with the conditions imposed by this Court. In view of the same, this Court is inclined to cancel the anticipatory bail granted to the second respondent in CrI.O.P.(MD) No.10657 of 2024 by an order dated 30.07.2024.

5. It is left open to the second respondent to file a fresh anticipatory bail petition before this Court, and the same will be considered on its own merits.

6. Whatever grievance the petitioner has against the second respondent can be agitated by filing an intervening petition as and when the anticipatory bail petition is



filed before this Court.

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7. In the result, this Criminal Miscellaneous Petition stands allowed.

sd/-
28/01/2025

/ TRUE COPY /

/02/2025
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

JEN
TO

- 1 THE JUDICIAL MAGISTRATE NO.V,
MADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
SS COLONY POLICE STATION,
MADURAI CITY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL MP(MD) No.288 of 2025
IN
CRL OP(MD) No.10657 of 2024
Date :28/01/2025

NBF / SAR- (13/02/2025) 4P/5C

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