



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2020

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Crl.O.P.(MD)No.3398 of 2020

WEB COPY

Muniyasamy @ Suresh

... Petitioner/Accused No.1

Vs.

State rep. by,
The Inspector of Police,
Ottapidaram police station,
Thoothukudi District.
(Crime No.64 of 2019).

... Respondent/Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to set aside the order passed by the learned Principal Sessions Judge, Thoothukudi in Cr.M.P.No.3098 of 2019 dated 17.09.2019.

For Petitioner	: Mr.A.K.Manickam
For Respondent	: Mr.A.Robinson, Government Advocate(Crl. Side).

O R D E R

The petitioner was granted anticipatory bail by the Sessions Court subject to the condition that he will appear before the investigation officer daily at 10.30 a.m. for a period of 30 days. It appears that the petitioner did not fully comply with the said condition. That led to filing of Cr.M.P.No.3098 of 2019 for cancelling the anticipatory bail earlier granted. Since the noncompliance of the condition is beyond dispute, by order dated 17.09.2019, the Court below cancelled the anticipatory bail earlier granted to him. The same is under challenge in this criminal original petition.

2. Heard the learned counsel on either side.

3. The learned counsel appearing for the petitioner submitted that non-compliance of the condition as such ought not to lead to cancellation of anticipatory bail straightaway.

4. Taking note of the submission made by the petitioner's counsel, the petitioner will appear before the respondent daily at 10.30 a.m. for a period of two more weeks.



5. Recording the said undertaking through his counsel, the order impugned in this criminal original petition stands set aside.

6. The criminal original petition stands allowed.

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Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Pmu

To:

1. The Principal Sessions Judge,
Thoothukudi.
2. The Inspector of Police,
Ottapidaram police station,
Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.A.K.MANICKAM, Advocate (SR-9358[F] dated 28/02/2020)

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AP(04/06/2020) 2P 5C