



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Nineteenth day of December Two Thousand Thirteen

PRESENT

WEB COPY

The Hon`ble Mr.Justice M.SATHYANARAYANAN

CRL OP(MD) No.22902 of 2013

1 M.SEKAR
2 C.PRASAD @ CHIDAMPARAM ...PETITIONERS/ACCUSED Nos.3 & 6

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
NATHAM POLICE STATION,
DINDIGUL DISTRICT.
CRIME NO. 56/2011. ...RESPONDENT / COMPLAINANT

For Petitioner : M/S.B.JAMEEL ARASU Advocate

For Respondent : M/S.P.KANDASAMY, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

There are totally six accused and the petitioners are arrayed as A3 & A6 in S.C.No.10 of 2012 on the file of the learned Chief Judicial Magistrate, Dindigul and apprehending arrest in pursuant to the non bailable warrant issued by the said Court, seek anticipatory bail.

2.The learned counsel for the petitioners/A3&A6 would submit that both the petitioners were suffering on account of viral fever and therefore they could not appear before the trial Court on the date of hearing and his absence on that day is neither wilful nor wanton but due to bonafide reasons.

3.The learned Government Advocate (crl.side) would submit that since the petitioners/A3&A6 have not appeared on the date of hearing, the trial of the case could not be proceeded further.



4.Considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on anticipatory bail.

5.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Chief Judicial Magistrate, Dindigul, Dindigul District and on each of them executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall file an affidavit of undertaking to appear before the trial Court on all future hearing dates without fail. On compliance of the above said conditions, the trial Court shall recall the non bailable warrant issued against the petitioners. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C., scrupulously.

6.The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
19/12/2013

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL, DINDIGUL DISTRICT.
- 2 THE INSPECTOR OF POLICE, NATHAM POLICE STATION, DINDIGUL DT.
- 3 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.B.JAMEEL ARASU Advocate SR.No.63777

ORDER
IN
CRL OP(MD) No.22902 of 2013
Date :19/12/2013