



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

Thursday, the Twenty First day of July Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.12246 of 2016

1 MOHAMMED ABBAS
2 KAMARI NIZHA
3 UBAITHA BEGAM
4 KALIMA
5 JAMILA BEGUM
6 UTHUMAN
7 BABU @ NAHOOR MEERAN
8 FEROZHAN

... PETITIONER / ACCUSED No.2 to 9

Vs

STATE REB.BY
THE INSPECTOR OF POLICE
BODI TOWN POLICE STATION,
BODINAYAKANOOR,
THENI DISTRICT,
C.C. NO. 81 OF 2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S T. INDRACHITHU Advocate

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

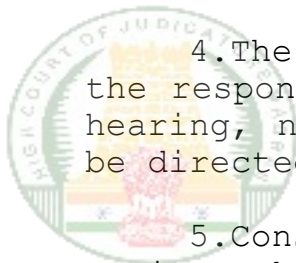
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners apprehend arrest at the hands of the respondent police for an alleged offence punishable under Section 420 r/w 120 IPC in C.C.No.81 of 2015 on the file of the District Munsif cum Judicial Magistrate Court, Bodinayakanoor, and hence, seek anticipatory bail.

2.The case of the prosecution is that the petitioners did not appear for hearing on 11.07.2016 before the trial Court and therefore, the learned District Munsif cum Judicial Magistrate Court, Bodinayakanoor, issued a Non-Bailable Warrant.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence and prays for anticipatory bail in favour of the petitioners.



4.The learned Government Advocate (Criminal Side) appearing for the respondent submitted that due to absence of the petitioners for hearing, non bailable warrant was issued against them and they may be directed to approach the Trial Court for recalling the warrant.

5.Considering the fact that non bailable warrant was issued against the petitioner for their absence, there shall be a direction to the petitioners to surrender before the District Munsif cum Judicial Magistrate Court, Bodinayakanoor and to file a petition for recalling the warrant and the learned District Munsif cum Judicial Magistrate Court, Bodinayakanoor is directed to consider the same on the same day and pass orders on merits and in accordance with law.

The Criminal Original petition is disposed of accordingly.

sd/-

21/07/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE COURT, BODINAYAKANOOR.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.

3 THE INSPECTOR OF POLICE BODI TOWN POLICE STATION,
BODINAYAKANOOR, THENI DISTRICT,

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S T. INDRACHITHU Advocate SR.No.38896

ORDER

IN

CRL OP(MD) No.12246 of 2016

Date :21/07/2016

SDR/AAL-MPA/SAR III/25.07.2016/2P/6C