



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

Tuesday, the Sixteenth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.14766 of 2016

FRANCIS JEGAN @ JEGAN

... PETITIONER/ACCUSED NO. 2

Vs

THE STATE REPRESENTED BY THE INSPECTOR OF POLICE
VALLIYOOR POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME NO. 468 OF 2011)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.KESAVAN Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 427,379(NP) of IPC and Section 3(i) of Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992 and later on charge sheeted for the offences under Sections 120(B), 379(NP) of IPC and Section 3(i) of Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992, in in S.C.No.239 of 2012 in Crime No.468 of 2011, on the file of the respondent Police, seeks anticipatory bail.

2. It is submitted by the learned counsel for the petitioner the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case and prays for anticipatory bail in favour of the petitioner.

3. The learned Government Advocate (Crl. Side) submitted that due to absence of the petitioner for one hearing on 23.06.2016, non bailable warrant was issued against the petitioner, and hence, the petitioner may be directed to approach the Court for recalling the warrant.

4. Considering the fact that non bailable warrant was issued against the petitioner for his absence, there shall be a direction, directing the petitioner to surrender before the learned Assistant Sessions Judge, Valliyoor, Thirunelveli District and to file a petition for recalling the warrant and the learned Assistant Sessions Judge, Valliyoor, Thirunelveli District, is directed to consider the same on the same day and pass orders on merits in



accordance with law.

5. Accordingly, this petition is disposed of.

sd/-
16/08/2016

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

TO

- 1 THE ASSISTANT SESSIONS JUDGE, VALLIYOOR.
- 2 THRO THE PRINCIPAL SESSIONS JUDGE, TIRUNELVELI.
- 3 THE INSPECTOR OF POLICE, VALLIYOOR POLICE STATION,
TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.KESAVAN Advocate SR.No.44549

trp
JA-SKS-RR.SAR.III-23.08.2016/2P:6C

ORDER
IN
CRL OP(MD) No.14766 of 2016
Date :16/08/2016