



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

Wednesday, the Twenty Third day of November Two Thousand Sixteen

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PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.22205 of 2016

1 CHINNAIYAN,
2 BOOMI,
3 RAMACHANDRAN,
4 MUNISAMY,

... PETITIONERS/ACCUSED Nos. 1 to 3 & 7

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
MELUR POLICE STATION,
MADURAI DISTRICT.
(IN CR.NO.653 OF 2004)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.MOHAN Advocate

For Respondent : MRS.S.PRABHA, Govt. Advocate (Crl. Side)

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

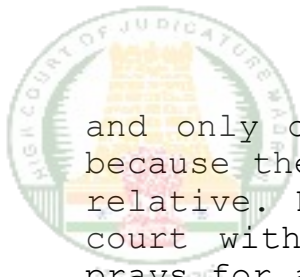
ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 323, 324, 326 and 506(ii) IPC in C.C.No.542 of 2015 on the file of the learned Judicial Magistrate, Melur, the petitioners have come forward with this petition seeking anticipatory bail.

2.Heard both sides.

3.The petitioner is facing trial in C.C.No.542 of 2015 on the file of the learned Judicial Magistrate, Melur. On 03.08.2016, NBW was issued against the petitioners due to their non appearance before the trial Court and in pursuance of which, now the respondent police is apprehending him. Hence they have filed the present petition for anticipatory bail.

4.Learned Counsel for the petitioners submitted that the petitioners were attending the Court regularly without any default



and only on that particular date, he could not be able to appear because they have went out of station to attend the funeral of their relative. Now, the petitioners undertake to appear before the trial court without any default and would cooperate with the trial and prays for an order.

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5. Heard the learned Govt. Advocate (crl.side).

6. Considering the facts and circumstances of the case and considering the fact that Non-Bailable Warrant is pending against the petitioners herein, this Court directs the petitioners to appear in person to file a petition under Section 70(2) of Cr.P.C. for recalling the Non-Bailable Warrant before the concerned Magistrate and in the event of filing such an application, the Judicial Magistrate concerned is directed to consider the same, and pass orders in accordance with law.

7. The trial Court is expected to proceed with the trial without adjourning the matter beyond 10 working days or two weeks at any point of time .

8. With the above direction, this petition is disposed of.

sd/-

23/11/2016

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

TO

1 THE JUDICIAL MAGISTRATE,
MELUR.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 THE INSPECTOR OF POLICE,
MELUR POLICE STATION, MADURAI DISTRICT.

+1. CC to M/S.A. MOHAN Advocate SR.No.71886.

ORDER

IN

CRL OP(MD) No.22205 of 2016

Date : 23/11/2016