

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

Friday, the Twenty Fifth day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.22286 of 2016

RAMESH,

... PETITIONER/ACCUSED No.4,

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
THALLAKULAM POLICE STATION,
MADURAI DISTRICT.
CRIME NO.1603 OF 1991

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.P.ANDIRAJ 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 :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Section 394 r/w 397 IPC in Crime No.1603 of 1991 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the petitioner is that the respondent Police filed a charge sheet in Crime No.1603 of 1991 before the Court concerned and the same was taken on file in S.C.No.194 of 1993 by the III Additional Assistant Sessions Judge, Madurai. Due to non appearance before the Court, non bailable warrant has been issued against the petitioner.

3.The petitioner is facing trial in S.C.No.194 of 1993 and non bailable warrant was issued against him due to non appearance before the trial court and in pursuance of which, now the respondent police is apprehending him. Hence, he filed the present petition for anticipatory bail.

4.The learned counsel for the petitioner submitted that the petitioner are attending the court regularly without any default and only on that particular date, he could not be able to appear. Now,

the petitioner undertakes to appear before the trial court without any default and would cooperate with the trial and prays for an order.

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 petitioner herein, this Court directs the petitioner 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 S.C.No.194 of 1993 by the III Additional Assistant Sessions Judge, Madurai on a day-to-day basis and shall not adjourn the matter beyond fifteen working days at any point of time.

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

sd/-

25/11/2016

/ TRUE COPY /

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

TO

1 THE III ADDITIONAL ASSISTANT SESSIONS JUDGE,
MADURAI.

2 DO THRO THE PRINCIPAL SESSIONS JUDGE,
MADURAI DISTRICT.

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

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

+1. CC to M/S.P.ANDIRAJ Advocate SR.No.73277.

ORDER

IN

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Date : 25/11/2016