

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Wednesday, the Nineteenth day of April Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice S. BASKARAN

CRIMINAL ORIGINAL PETITION No.7270 of 2017

IN

P.R.C.NO.[*]45 OF 2015

[*]before the Judicial Magistrate, Sirkazhi]

D.MURUGAVEL

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
SIRKALI POLICE STATION,
NAGAPATTINAM DISTRICT.
CR.NO.322/2015.

[RESPONDENT]

For Petitioner : M/S.R.VIVEKANANTHAN Advocate

For Respondent : MR. R.SEKAR, 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 147, 148, 341, 342, 294(b), 506(ii) & 302 of IPC, r/w Section 3(1) of TNP (PD&L) has filed the above petition seeking anticipatory bail, stating that in the said case, charge sheet has been filed and the same has been taken on file in[*] **P.R.C.No.45 of 2015.**

2. The learned counsel for the petitioner would submit that the petitioner had been shown as absconding accused in the above said case and also undertakes to appear before the court regularly for all the hearing dates and sought for anticipatory bail as he has been issued with Non bailable warrant.

3. The learned Government Advocate (Crl.Side) submits that the case is pending in [*]**P.R.C.No.45 of 2015 before the Judicial Magistrate, Sirkazhi,** and the petitioner may be directed to surrender before the concerned court and file petition to recall NBW.

4. Considering the fact that **[*]P.R.C.No.45 of 2015 is pending before Judicial Magistrate, Sirkazhi** this Court is not inclined to grant anticipatory bail to the the petitioner. However, the petitioner is directed to appear before the court concerned and to file necessary application to recall NBW and on filing of such application, the same shall be considered and disposed of, by the Court concerned on the same day in accordance with law.

5.This petition is disposed of accordingly.

-sd/-
19/04/2017

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

[*]Amended Order as per order of this Court dated 28/06/2017 in CRL.MP.NO.7860 OF 2017 IN CRL.OP.NO.7270 OF 2017]

TO

1 THE JUDICIAL MAGISTRATE,
NO.I, NAGAPATTINAM.

**[*]2 THE JUDICIAL MAGISTRATE,
SIRKAZHI.**

3 THE CHIEF JUDICIAL MAGISTRATE
NAGAPATTINAM [FOR INFORMATION]

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE INSPECTOR OF POLICE,
SIRKALI POLICE STATION,
NAGAPATTINAM DISTRICT.

+1CC to M/S.R.VIVEKANANTHAN Advocate on payment of necessary charges SR NO.11873

CRL OP.7270/2017

Date :19/04/2017

MK:24/04/2017

MK:05/07/2017