



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

Thursday, the Second day of February Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.1031 of 2017

SARAVANAN, M/39 YRS,

... PETITIONER/SOLE ACCUSED

Vs

STATE, REP BY
INSPECTOR OF POLICE, DEVIPATTINAM POLICE STATION,
RAMANATHAPURAM DISTRICT.
(CRIME NO.151 OF 2009)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.BALASUBRAMANI Advocate

For Respondent : MR.P.KANDASAMY
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 punishable under Section 304(A) of IPC., in C.C.No.263 of 2009 on the file of the Judicial Magistrate No.I, Ramanathapuram, seeks anticipatory bail.

2. The learned counsel appearing for the petitioner states that the petitioner went to other state as lorry driver and due to miscommunication between the petitioner and his counsel, he could not appear before the concerned Court on 01.06.2015 and therefore, NBW has been issued on 01.06.2015 and his absence is neither willful nor wanton.

3. The learned Government Advocate (crl.side) appearing for the respondent states that the petitioner herein is the sole accused in C.C.No.263 of 2009 pending on the file of the learned Judicial Magistrate No.1, Ramanathapuram and he was absent on 01.06.2015 and therefore, NBW has been issued on the same date and is pending from that date onwards. The present petition has been filed after 1-1/2 year.

4. Considering the above facts and circumstances of the case, this court is inclined to direct the petitioner to appear before the learned Judicial Magistrate No.1, Ramanathapuram, and to file a



petition for recalling the warrant within 10 days from the date of receipt of a copy of this order and the learned Magistrate is directed to consider the same on the same day and pass orders on merits and in accordance with law.

5. Accordingly, this Criminal Original Petition is disposed of.

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sd/-
02/02/2017

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.1,
RAMANATHAPURAM.

2. THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT

3. INSPECTOR OF POLICE, DEVIPATTINAM POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

+1. CC to M/S.K.BALASUBRAMANI Advocate SR.No.1031

MPK

AE/CM/MSA/SAR2/06.02.2017/2p/6c

ORDER
IN
CRL OP(MD) No.1031 of 2017
Date : 02/02/2017