



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

Monday, the Twenty Eighth day of August Two Thousand Seventeen

PRESENT

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

WEB COPY

Crl.O.P.(MD)Nos.10813, 10827 and 10829 of 2017

RAJ @ THALAVAI RAJ	... PETITIONER / ACCUSED NO.3 IN CRL OP(MD) No.10813 of 2017
RAJ @ THALAVAI RAJ @ INBARAJ	... PETITIONER / ACCUSED NO.2 IN CRL OP(MD) No.10827 of 2017
RAJ @ THALAVAI RAJ	... PETITIONER / ACCUSED NO.2 IN CRL OP(MD) No.10829 of 2017

Vs

THE STATE REP.BY, THE INSPECTOR OF POLICE CHERANMAHADEVI POLICE STATION, TIRUNELVELI DISTRICT CRIME NO. 81/2014 CRIME NO. 149/2015 CRIME NO. 147/2015	... RESPONDENT / COMPLAINANT IN CRL OP(MD) No.10813 of 2017 IN CRL OP(MD) No.10827 of 2017 IN CRL OP(MD) No.10829 of 2017
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For Petitioners : M/S.S.R.A.RAMACHANDHRAN Advocate
IN ALL THE PETITIONS

For Respondent : MR.A.RAMAR Additional Public Prosecutor
IN ALL THE PETITIONS

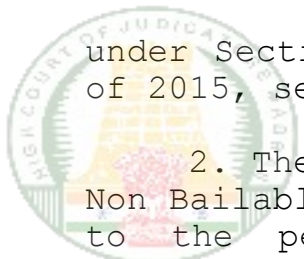
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner / Accused No.3 in Crl.O.P(MD).No.10813 of 2017, who apprehends arrest at the hands of the respondent police in PRC.No.31 of 2016 on the file of the learned Judicial Magistrate, Cheranmahadevi, Thirunelveli, for the alleged offences punishable under Sections 379, 307 and 506(ii) of IPC in Crime No.81 of 2014, seeks anticipatory bail.

The petitioner / Accused No.2 in Crl.O.P(MD).No.10827 of 2017, who apprehends arrest at the hands of the respondent police in C.C.No.166 of 2016 on the file of the learned Judicial Magistrate, Cheranmahadevi, Thirunelveli, for the alleged offences punishable under Sections 379, of IPC @ 379 of IPC r/w. 21(1) (V) MMDR Act, in Crime No.149 of 2015, seeks anticipatory bail.

The petitioner / Accused No.2 in Crl.O.P(MD).No.10829 of 2017, who apprehends arrest at the hands of the respondent police in C.C.No.195 of 2016 on the file of the learned Judicial Magistrate, Cheranmahadevi, Thirunelveli, for the alleged offences punishable



under Sections 379 of IPC r/w. 21(1) (V) MMDR Act, in Crime No.147 of 2015, seeks anticipatory bail.

2. The learned counsel appearing for the petitioner states that Non Bailable Warrant was recalled in Calender Cases. It is reported to the petitioner by the learned counsel appearing for the petitioner, who is appearing before the Court below that the Non Bailable was recalled in PRC.No.31 of 2016 also and hence, the petitioner came out from the Court premises. Thereafter, he came to know that the petition to recall Non Bailable Warrant in PRC.No.31 of 2016 was dismissed by the concerned Trial Court. In Calender Cases, the petition filed under Section 317 of Cr.P.C was dismissed by the concerned Court and thereafter, only Non Bailable Warrant were issued in the said Calender Cases and the same was pending.

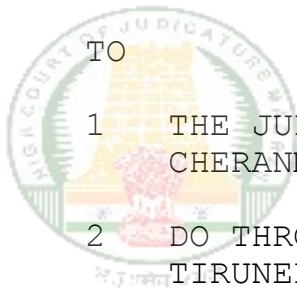
3. The learned Additional Public Prosecutor appearing for the respondent would submit on instructions that there are totally 9 accused in PRC.No.31 of 2016 and all the accused are regularly appearing before the concerned Court.

4. In both the Calender Cases the petitioner was absent on 10.07.2017 and in PRC.No.31 of 2016, the petitioner was absent on 28.03.2017 and hence, Non Bailable warrant was issued against the petitioner. The petitions were filed to recall the Non Bailable Warrant on 19.07.2017 by the petitioner in the above said cases and recall petition was ordered in respect of C.C.Nos.166 and 195 of 2016 respectively on the date itself. The petition to recall Non Bailable Warrant filed by the petitioner herein in PRC.No.31 of 2016 was dismissed by the concerned Court and Non Bailable Warrant was pending in PRC.No.31 of 2016.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioner was already released on bail, there shall be a direction, directing the petitioner to surrender before the learned Judicial Magistrate, Cheranmahadevi, Thirunelveli, within a period of 10 days from the date on which the order copy is made ready and to file a petitions for recalling the warrant and the learned Judicial Magistrate, Cheranmahadevi, Thirunelveli, is directed to consider the same on the same day and pass orders on merits and in accordance with law. If the petitioner failed to surrender within the stipulated time, anticipatory bail ordered stands vacated automatically without any further reference to this Court.

6. Accordingly, the Criminal Original Petitions are disposed of.
sd/-
28/08/2017

/ TRUE COPY /



TO

1 THE JUDICIAL MAGISTRATE,
CHERANMAHADEVI, TIRUNELVELI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE,
CHERANMAHADEVI POLICE STATION, TIRUNELVELI DISTRICT.

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

+3.CC to M/S.S.R.A.RAMACHANDHRAN Advocate SR.Nos.29365,29366,29367

ORDER IN

CrI.O.P.(MD)Nos.10813, 10827 & 10829 of 2017

Date :28/08/2017

MKV-CM-MSA-SAR 3/30.8.2017/3P-8C