



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

Friday, the Twenty Eighth day of April Two Thousand Seventeen

PRESENT

WEB COPY

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.5533 of 2017

1 KARTHICK @ KARTHIKEYAN,
2 SASITHARAN,

... PETITIONERS

Vs

1 THE SUPERINTENDENT OF POLICE,
THANJAVUR DISTRICT, THANJAVUR.

2 THE INSPECTOR OF POLICE,
ORATHANADU POLICE STATION,
THANJAVUR DISTRICT.

... RESPONDENT

For Petitioner : M/S.S.PARI Advocate

For Respondent : M/S.S.PRABHA, Government Advocate(Criminal Side),

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused in Crime No.94 of 2009 on the file of the respondent Police, apprehend arrest at the hands of the respondent Police for the alleged offences punishable under Sections 294(b), 447, 332, 353 IPC and Section 3(1) TNPPDL Act in Crime No.94 of 2009, which is pending in S.C.No.166 of 2017 before the Court below, seek anticipatory bail.

2.The learned counsel for the petitioners submitted that considering the facts and circumstances of the case, this Court had already granted anticipatory bail to the petitioners in CrI.O.P.(MD) No.2425 of 2017 vide order dated 07.03.2017 on condition that the petitioners shall surrender before the concerned Court for recalling the warrant within 10 days from the date on which the order copy is made ready. But the petitioners could not complying with the said conditions within the time prescribed by this Court. Hence, the petitioners have filed a petition in CrI.M.P.(MD)No.3188 of 2017 for extension of time to comply with the said conditions and this Court by order dated 19.04.2017 dismissed the said petition with liberty to file a fresh anticipatory bail petition. Accordingly, the petitioners are before this Court with the present anticipatory bail

<https://hcservices.ecourts.gov.in/hcservices/>

3.The learned Government Advocate(CrI. Side) on instructions submitted that due to absence of the petitioners, NBW was issued in P.R.C.No.1 of 2015 by the learned District Munsif cum Judicial



Magistrate, Orathanadu and the said case is pending due to pendency of NBW issued against the petitioners.

4. Considering the facts and circumstances of the case and also considering the fact that non bailable warrant was issued against the petitioners for their absence, there shall be a direction, directing the petitioners to surrender before the learned District Munsif cum Judicial Magistrate, Orathanadu, Thanjavur and to file a petition for recalling the warrant within 10 days from the date on which the order copy is made ready and the learned District Munsif cum Judicial Magistrate is directed to consider the same on the same day and pass orders on merits and in accordance with law. Accordingly, this petition is disposed of.

sd/-
28/04/2017

/ TRUE COPY /

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

TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
ORATHANADU, THANJAVUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT.

3 THE SUPERINTENDENT OF POLICE,
THANJAVUR DISTRICT, THANJAVUR.

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

+1. CC to M/S.S.PARI Advocate SR.No.21734

ORDER
IN
CRL OP(MD) No.5533 of 2017
Date :28/04/2017

SVA/CM/MSA/03.05.2017/SAR4/2P/6C