

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Fifth day of June Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL ORIGINAL PETITION No.15857 of 2018

C.C.NO.3 OF 2013

[ON THE FILE OF THE SPECIAL COURT FOR TNPID CASES AT CHENNAI]

LOGANAYAGI

[PETITIONER / ACCUSED]

Vs

STATE REP. BY

[RESPONDENT]

INSPECTOR OF POLICE,

ECONOMIC OFFENCES WING

NO.2, VELLORE, VELLORE DISTRICT.

CR.NO. 5 OF 2017

For Petitioner : M/S.T.MURUGANANTHAM Advocate

For Respondent : MR. C.IYYAPPARAJ, ADDL. PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends the arrest at the hands of respondent police pursuant to a Non Bailable Warrant issued against her in C.C.No.3 of 2013, which is pending on the file of the learned Special Court for TNPID Cases, Chennai, seeks anticipatory bail.

2. The learned counsel for the petitioner would submit that the case relates to offence under Sections 420 and 406 of IPC and that she was regularly appearing before the Court on all hearing dates, whereas, on 24.05.2018, the petitioner was unable to appear before the Special Court for TNPID Act Cases, Chennai, due to illness and that the Special Court for TNPID Act Cases, Chennai, issued Non Bailable Warrant against the petitioner and hence, he prayed for anticipatory bail to the petitioner.

3. The learned Additional Public Prosecutor submitted that the learned Special Court for TNPID Act Cases,, Chennai, has issued Non Bailable Warrant for non appearance on 24.05.2018.

4. In view of the above position, the relief available to the petitioner is to surrender before the learned Magistrate concerned and file a petition U/s.70(2) of Cr.P.C. to recall the Non Bailable Warrant of Arrest issued against him. Therefore, the question of

granting anticipatory bail does not at all arise.

5. Considering the fact that the non-bailable warrant is pending against the petitioner, the petitioner is directed to surrender before the Trial Court i.e., Special Court for TNPID Act Cases, Chennai, and file a petition under Section 70(2) of Cr.P.C. to recall the non bailable warrant on the same day. On filing of such petition, the learned IV Additional Sessions Judge, Chennai, is directed to consider the said petition on merits and pass orders on the same day.

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

-sd/-

25/06/2018

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.

TO

1 THE SPECIAL COURT FOR TNPID
ACT CASES, CHENNAI

2 THE IV ADDITIONAL SESSIONS
JUDGE, CHENNAI

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
ECONOMIC OFFENCES WING
NO.2, VELLORE, VELLORE DISTRICT.

1 CC to M/S.T.MURUGANANTHAM Advocate on payment of necessary
charges SR.NO. 11590

CRL OP.15857/2018

Date :25/06/2018

RD 02/07/2018