

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Nineteenth day of November Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.26767 of 2018

in S.T.C.NO.180/2016

[ON THE FILE OF DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, KATTUMANNAR
KOIL, CUDDALORE DISTRICT]

ASAITHAMBI,

[PETITIONER / ACCUSED]

Vs

STATE REP.BY ITS,
THE INSPECTOR OF POLICE,
PATTUR POLICE STATION,
CUDDALORE DIST.
CR.NO.85 OF 2016

[RESPONDENT]

For Petitioner : M/S.ANBABHAGAN P. Advocate

For Respondent : MRS.PRABHAVATHI, ADDL. PUBLIC PROSECUTOR

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 offences punishable under Sections 341, 323 and 506(i) of IPC in Crime No.85 of 2016 and no previous case is pending against the petitioner, seeks anticipatory bail.

2. The learned counsel appearing for the petitioner would submit that on 12.09.2016, due to that he was arrested by the Inspector of Police, Pattur Police Station, Cuddalore District in another case the petitioner are not able to appear before the learned District Munsif Cum Judicial Magistrate, Kattumannar Koil, Cuddalore District, in respect of the case in S.T.C.No.180 of 2016 and hence, non bailable warrant has been issued against the petitioner. He would further submit that the said absence is neither willful nor wanton and he undertakes that the petitioner shall appear before the Court below regularly on all future hearing dates without fail.

3. Heard the learned Additional Public Prosecutor appearing for the respondent.

4. Considering the undertaking given by the learned counsel for the petitioner, the petitioner is directed to appear before the

learned District Munsif Cum Judicial Magistrate, Kattumannar Koil, Cuddalore District, within a period of 2 weeks from today and to file a petition to recall NBW already issued against the petitioner. On filing of such petition, the concerned Magistrate, is directed to consider the same on merits in accordance with law and pass orders on the same day.

5. This criminal original petition is disposed of accordingly.

-sd/-

19/11/2018

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, KATTUMANNAR KOIL,
CUDDALORE DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
PATTUR POLICE STATION,
CUDDALORE DIST.

+1 CC to M/S.ANBAZHAGAN P. Advocate on payment of necessary
charges-Sr.21786

CRL OP.26767/2018

Date :19/11/2018

ths : 23.11.2018

WEB COPY