



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

Wednesday, the Fifth day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) No.21432 of 2018

P.KALIRAJ

... PETITIONER / 6th ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SANKARANKOVIL,
TIRUNELVELI DISTRICT.
(CRIME NO.4/2010)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.D.SELVARAJ Advocate

For Respondent : Mr.M.ASOKAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 498 (A) and 506 (i) IPC in Cr.No.4 of 2010, seeks anticipatory bail.

2.The petitioner is the brother in law of the first accused. The defacto complainant is the wife of the first accused. She preferred a complaint before the respondent police for the offence punishable under Sections 498 (A) and 506 (i) IPC during the year 2010. At that time, the petitioner had obtained anticipatory bail and abide by the condition.

3.Thereafter, the petitioner seeking employment went to Muscut and he is working there since then. The respondent police on completion of the investigation had filed charge sheet in C.C.No.45 of 2012, which is pending for trial on the file of the learned District Munsir-cum-Judicial Magistrate, Sivagiri.

4.Meanwhile, the petitioner filed a quash petition in Crl.O.P. (MD)No.21057 of 2018 to quash the charge sheet. During the hearing of that petition only, the petitioner came to know that the Non Bailiable Warrant was issued against the petitioner for his non appearance in the above said case and pursuant to the same, the bail



was also cancelled. On coming to know about the same, the petitioner withdrew the petition and preferred the present petition.

5. Heard the learned Government Advocate (Crl.Side) appearing for the respondent State.

6. Considering the above facts and circumstances of the case, this Court directs the petitioner to surrender before the learned District Munsif cum Judicial Magistrate, Sivagiri 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.

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

sd/-

05/12/2018

/ TRUE COPY /

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

TO

1. THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
SIVAGIRI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
SANKARANKOVIL, TIRUNELVELI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.D.SELVARAJ Advocate SR.No.22690

ORDER

IN

CRL OP(MD) No.21432 of 2018

Date :05/12/2018

MS/PN/SAR-3/05.12.2018/2P.6C