



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

Wednesday, the Eighteenth day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP (MD) No.6273 of 2018

KINGSLY @ KINGSLY DAS

... PETITIONER /2ND ACCUSED

Vs

THE STATE REPRESENTED BY
THE SUB INSPECTOR OF POLICE
NITHIRAVILAI POLICE STATION,
KANYAKUMARI DISTRICT,
IN CR NO. 53 OF 2008

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.L.SHAJI CHELLAN Advocate

For Respondent : MR.A.ROBINSON, Government Advocate (Cr1. Side)

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

ORDER : The Court Made the following order :-

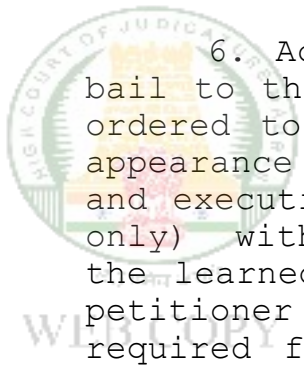
The petitioner seeks to enlarge the petitioner on bail in the event of arrest in respect of C.C.No.61 of 2009 on the file of the learned Judicial Magistrate-II, Kuzhithurai.

2. Heard the learned Government Advocate (Criminal side).

3. The learned counsel for the petitioner submitted that the matter has been actually compromised and that the petitioner was complacent.

4. It is seen that the petitioner is facing trial in C.C.No.61 of 2009 on the file of the learned Judicial Magistrate-II, Kuzhithurai. In this case, the petitioner did not appear before the learned trial Court and Non-Bailable warrant is pending for a long time.

5. Considering the facts and circumstances of this case, the petitioner is directed to appear before the learned Judicial Magistrate-II, Kuzhithurai on the next hearing date and apply for recall of warrant. The learned trial Judge shall recall the warrant issued against the petitioner on the same date. The petitioner shall appear on all future hearings in this case without any default. If the petitioner does not appear on any future hearing date, this order shall stand cancelled automatically.



6. Accordingly, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. The petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate-II, Kuzhithurai and executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

5. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
18/04/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, KUZHITHURAI
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI DISTRICT AT NAGERCOIL
- 3 THE SUB INSPECTOR OF POLICE
NITHIRAVILAI POLICE STATION, KANYAKUMARI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.L.SHAJI CHELLAN Advocate SR.No.6617

KSA
GJM/PN/RNB/24.4.18-2P-6C

ORDER
IN
CRL OP(MD) No.6273 of 2018
Date :18/04/2018