



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

Monday, the Twenty Second day of October Two Thousand Eighteen

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PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.18725 of 2018

ALBERT JAMES

... PETITIONER / ACCUSED No.2

Vs

STATE REP.BY

THE INSPECTOR OF POLICE,
KUZHITHURAI POLICE STATION,
KANYAKUMARI DISTRICT.
(CRIME NO.82 OF 2009)

... RESPONDENT/ COMPLAINANT

For Petitioner : MR.M.R.SREENIVASAN Advocate

For Respondent : MR.ASOKAN, Government Advocate(Crl. side)

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

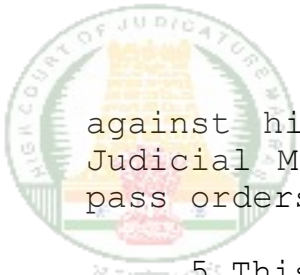
ORDER : The Court Made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent police in C.C.No.181 of 2008 on the file of the Judicial Magistrate No.1, Kuzhithurai, seeks anticipatory bail.

2.The learned counsel appearing for the petitioner would submit that on 04.05.2018, since the petitioner went to Kerala for coolie work, he was not able to appear before the learned Judicial Magistrate No.1, Kuzhithurai in respect of the case in C.C.No.181 of 2018 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 Government Advocate (criminal side) 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 Judicial Magistrate No.1, Kuzhithurai, within a period of 2 weeks from today and to file a petition to recall NBW already issued



against him. On filing of such petition, the concerned learned Judicial Magistrate is directed to consider the same on merits and pass orders on the same day.

5. This criminal original petition is disposed of accordingly.

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sd/-
22/10/2018

/ TRUE COPY /

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

TO

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

+1. CC to MR.M.R.SREENIVASAN Advocate SR.No.19970

ORDER
IN
CRL OP(MD) No.18725 of 2018
Date : 22/10/2018

Arul
AE/JC/SAR4/26.10.2018/2P/6C