



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

Thursday, the Fifth day of July Two Thousand Eighteen

PRESENT

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

CRL OP(MD) Nos.11135 to 11138 of 2018

NAGALINGAM MANTRISABHAI

... PETITIONER/SOLE ACCUSED
IN CRL OP(MD)Nos.11135 & 11136/2018

N.JAMUNA

... PETITIONER/SOLE ACCUSED
IN CRL OP(MD)Nos.11137 & 11138/2018

Vs

STATE REPRESENTED BY,
THE INSPECTOR OF FACTORIES
THOOTHUKUDI.

STC NO. 203 OF 2013

... 1st RESPONDENT/COMPLAINANT
IN CRL OP(MD)No.11135/2018

STC NO. 204 OF 2013

... 1st RESPONDENT/COMPLAINANT
IN CRL OP(MD)No.11136/2018

STC NO. 205 OF 2013

... 1st RESPONDENT/COMPLAINANT
IN CRL OP(MD)No.11137/2018

STC NO. 206 OF 2013

... 1st RESPONDENT/COMPLAINANT
IN CRL OP(MD)No.11138/2018

STATE REPRESENTED BY,
THE INSPECTOR OF POLICE
SIPCOT POLICE STATION,
THOOTHUKUDI,
THOOTHUKUDI DISTRICT.

... 2nd RESPONDENT/COMPLAINANT
IN ALL THE PETITIONS

For Petitioners : MR.N.R.ELANGO, Senior Counsel for
MR.G.MARIAPPAN Advocate
IN CRL OP(MD)Nos.11135 & 11136/2018

MR.N.R.ELANGO, Senior Counsel for
MR.S.PARTHASARATHI, Advocate
IN CRL OP(MD)Nos.11137 & 11138/2018

For RespondentS : MR.A.ROBINSON, Government Advocate (Crl.Side)
IN ALL THE PETITIONS



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

ORDER : The Court Made the following order :-

The petitioners have filed these criminal petitions, since they apprehend arrest and remand pursuant to the issuance of Non Bailable Warrant in STC Nos.203 to 206 of 2013, on the file of the learned Chief Judicial Magistrate, Thoothukudi. These complaints were filed by the Inspector of Factories, Thoothukudi, alleging contravention of certain provisions of Tamil Nadu Factories Rules by the petitioners herein.

2.The learned Senior Counsel appearing for the petitioners submitted that the petitioners intended to have these complaints closed by pleading guilty and by remitting the fine that may be imposed on them. It appears that after the dismissal of the quash petitions filed by them, the petitioners were not able to appear before the Trial Court on the first occasion, i.e., on 29.06.2018. But they were represented through counsel. In fact, applications under Section 317 Cr.P.C., were also filed. It is submitted that those applications were dismissed and Non Bailable Warrants were issued against the petitioners. This issuance of Non Bailable Warrants has led the petitioners to move this Court seeking protection against arrest.

3.This Court permits the petitioners to appear before the learned Chief Judicial Magistrate, Thoothukudi on 16.08.2018, when the connected case filed against the Manager is said to be posted. The petitioners are permitted to apply for recall of warrant issued against them. The learned Chief Judicial Magistrate is directed to recall the warrant on the same day.

4. It is further directed that the Non Bailable Warrant issued against the petitioner shall be kept in abeyance till then.

5.These Criminal Original Petitions are ordered, accordingly.

sd/-
05/07/2018

/ TRUE COPY /

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



1 THE JUDICIAL MAGISTRATE, THOOTHUKUDI

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT

3 THE INSPECTOR OF FACTORIES,
THOOTHUKUDI.

4 THE INSPECTOR OF POLICE
SIPCOT POLICE STATION, THOOTHUKUDI,
THOOTHUKUDI DISTRICT

5 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+4. CC to MR.G.MARIAPPAN, Advocate SR.Nos.12285,12286

ORDER IN
CRL OP(MD) Nos.11135 to 11138 of 2018
Date :05/07/2018

PK/VR/ASVM/11.07.2018 : 3P/10C