



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

Thursday, the Thirteenth day of December Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.22007 of 2018

SUDALAIKANNU

... PETITIONER / ACCUSED No. 2

Vs

THE STATE REP. BY,
INSPECTOR OF POLICE
NANGUNERI POLICE STATION,
TIRUNELVELI DISTRICT.
IN CRIME NO. 311 OF 2011,
(S.C.NO. 63 OF 2013)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.S.J.CHAKKARAVARTHY Advocate

For Respondent : MR.S.CHANDRASEKAR, ADDITIONAL 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 in S.C.No.63 of 2013 on the file of the learned IV Additional District Judge, Tirunelveli for the offences punishable under Sections 147, 148, 341, 294(b), 307, 302, 324 and 506(ii) r/w 149 of I.P.C, seeks anticipatory bail.

2.It is seen that the records, the petitioner was absent during the trial in S.C.No.63 of 2013, on the file of the learned IV Additional District Judge, Tirunelveli. Therefore, Non Bailable Warrant came to be issued on 10.08.2018.

3.Thereafter, the petitioner filed a petition in Crl.O.P(MD) No.18990 of 2018, for seeking anticipatory bail. The same was granted to the petitioner on 25.10.2018, on condition that the petitioner was directed to appear before the court below within a period of two weeks from the date of receipt of a copy of the order. Due to illness, he could not appeared before the court below. Hence, filed this petition.

4.The learned counsel for the petitioner would submit that due to illness, the petitioner could not appeared before the court below



within time frame as fixed by this Court. The petitioner has produced the medical records to that effect and he undertakes that the petitioner shall appear before the Court below regularly on all future hearing dates without fail.

5. Considering the undertaking given by the petitioner, the petitioner is directed to appear before the learned IV Additional District Judge, Tirunelveli within a period of two weeks from the date of receipt of a copy of this order and to file a petition to recall the NBW issued against him. The concerned Additional District Judge is directed to consider the same on merits and pass orders on the same day.

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

sd/-
13/12/2018

/ TRUE COPY /

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

TO

- 1 THE IV ADDITIONAL DISTRICT JUDGE
TIRUNELVELI
- 2 THE INSPECTOR OF POLICE
NANGUNERI POLICE STATION,
TIRUNELVELI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

ORDER
IN
CRL OP (MD) No.22007 of 2018
Date :13/12/2018

MSI/VR-MMS/SAR-II/19.12.2018-2P/4C