



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

Friday, the Third day of August Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.13900 of 2018

G.SURESH@SURESH KUMAR

... PETITIONER / ACCUSED NO.3

Vs

THE STATE TAMIL NADU,
THE INSPECTOR OF POLICE
BOOTHAPANDY POLICE STATION,
KANYAKUMARI DISTRICT,
(P.R.C.NO.34 of 2005)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.MANIMARAN Advocate

For Respondent : Mr.A.ROBINSON Govt. Advocate (Crl. Side)

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 P.R.C.No.24 of 2005 on the file of the learned Judicial Magistrate, Boothapandy, seeks anticipatory bail.

2.The petitioner was absent on 28.11.2005 during the trial in P.R.C.No.24 of 2005 before the learned Judicial Magistrate, Boothapandy. Therefore, Non-Bailable Warrant came to be issued.

3.The learned counsel appearing for the petitioner undertakes that the petitioner shall appear before the Court below regularly on all future hearing dates without fail.

4.If the petitioner fails to appear before the Court below for future hearings, he is entitled to file appropriate petition under Section 317 Cr.P.C. Even if on one hearing, he is absent and no application is filed for condoning his absence, this order granting anticipatory bail shall stand cancelled.

5.Recording the above said undertaking given by the learned counsel appearing for the petitioner, the petitioner is permitted to appear before the trial Court on next hearing date and to file a recall warrant petition. The learned Judicial Magistrate, Boothapandy is directed to recall the warrant on the same day.



6. Accordingly, the Criminal Original Petition is allowed.

sd/-
03/08/2018

/ TRUE COPY /

WEB COPY

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

TO

- 1 THE JUDICIAL MAGISTRATE ,
BOOTHAPANDY.
- 2 -DO- THRO THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI AT NAGERCOIL.
- 3 THE INSPECTOR OF POLICE
BOOTHAPANDY POLICE STATION,
KANYAKUMARI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.R.MANIMARAN Advocate SR.No.14993

ORDER
IN
CRL OP(MD) No.13900 of 2018
Date :03/08/2018

MV:RR:SAR2:14/08/18/2P/6C