



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

Friday, the Eleventh day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.603 of 2019

PETCHIMUTHU @ PAYASAM PETCHIMUTHU ... PETITIONER / ACCUSED No.2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
AMBASAMUDRAM POLICE STATION,
TIRUNELVELI DISTRICT.

... RESPONDENT / COMPLAINANT

For Petitioner : MR.G.KALIDOSS Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 120(B), 302, 115 r/w.34 of IPC in connection with Non Bailable Warrant issued in S.C.No.778 of 2017, on the file of the learned IV Additional Sessions Judge, Tirunelveli seeks anticipatory bail.

2.The petitioner was absent during the trial in S.C.No.778 of 2017 before the IV Additional Sessions Judge, Tirunelveli. Therefore, Non-Bailable Warrant came to be issued on 19.12.2018.

3.The learned counsel appearing for the petitioner would submit that the petitioner has only one daughter and she is in advance stage of pregnancy and the petitioner wife is no more and he has to take care of her daughter. He also undertakes that the petitioner shall appear before the Court below regularly on all future hearing dates without fail. He would also submit that 317 Cr.P.C petition was filed before the lower court and the same was dismissed

4. Considering the undertaking given by the learned counsel appearing for the petitioner, the petitioner is directed to appear before the trial Court on next hearing date and to file a recall warrant petition. The concerned Magistrate is directed to consider



the same on merits and pass orders on the same day.

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

sd/-

11/01/2019

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/ TRUE COPY /

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

TO

1. THE IV ADDITIONAL SESSIONS JUDGE,
TIRUNELVELI DISTRICT.
 2. THE INSPECTOR OF POLICE,
AMBASAMUDRAM POLICE STATION,
TIRUNELVELI DISTRICT.
 3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to MR.G.KALIDOSS Advocate SR.No.737

ORDER
IN
CRL OP(MD) No.603 of 2019
Date :11/01/2019

AE/PN/SAR2/21.01.2019/2P/5C