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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Date : 17/06/2019

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.8375 of 2019

Densingh ... Petitioner/3rd Accused

Vs

The State rep.by,
The Inspector of Police,
Uvari Police Station,
Tirunelveli District
(Cr.No.88/2000). ... Respondent/Complainant

For Petitioner : M/s.K.Rajeshwaran,
Advocate.

For Respondent : Mr.V.Neelankandan,
Additional Public Prosecutor.

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

PRAYER :-

For Anticipatory bail in S.C.No.246 of 2014 on the file of the Assistant Sessions Court, Valliyoor, Tirunelveli District.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A 24, apprehends arrest at the hands of the respondent for the alleged offence punishable under Sections 147, 148, 448, 427, 304, 307 of IPC and 3 & 5 of Explosive Substances Act 1908, in Crime No.88 of 2000, seeks anticipatory bail.

2. The case of the prosecution is that the the petitioner abused and attacked the defacto complainant and the respondent police had registered a case against the petitioner.

3. The learned counsel for the petitioner has submitted that the petitioner is in no way connected with the offence. He further submitted that the respondent police has filed absconding charge sheet against the petitioner before the learned Assistant Sessions Court, Vallioor. Hence, the learned Assistant Sessions Judge has issued non-bailable warrant. Hence, he is not aware about the

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pendency of the above case against him. He came to know about the case only when the respondent police searched for him. Hence, he prayed anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor has submitted that respondent police has not filed the absconding charge sheet against the petitioner before the learned Assistant Sessions Court, Vallioor, as contended by the petitioner. On the contrary, the petitioner originally got bail and subsequently charge sheet was filed before the learned Judicial Magistrate, Vallioor and case was committed to the Assistant Sessions Judge, Vallioor and thereafter, the petitioner did not appear and hence non-bailable warrant was issued. Therefore, he opposed this petiiton.

5.Taking into consideration the fact that the petitioner has jumped over the bail and he has not stated any reason for his non appearance, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Hence the anticipatory bail petition is dismissed.

sd/-
17/06/2019

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

TO

1.THE ASSISTANT SESSIONS COURT,
VALLIYOOR, TIRUNELVELI DISTRICT.

2.THE INSPECTOR OF POLICE
UVARI POLICE STATION,
TIRUNELVELI DISTRICT

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

ORDER
IN
CRL OP(MD) No.8375 of 2019
Date :17/06/2019

DSS
PK/VR/SAR-2/01.07.2019 : 2P/4C

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