



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

Monday, the Fifth day of August Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.10973 of 2019

Muthuraj

... Petitioner/Accused

Vs

State represented through
The Sub Inspector of Police,
Thisayanvilai Police Station,
Tirunelveli District
(Crime No.194 of 2012).

... Respondent/Complainant

For Petitioner : M/s.P.R.Prithiviraj,
Advocate.

For Respondent : Mrs.M.Anantha Devi,
Government Advocate (Crl.Side)

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

PRAYER :-

for Anticipatory bail in Crime No.194 of 2012 on the file of
the Respondent Police

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the
respondent police for the warrant issued by the learned Judicial
Magistrate, Nanguneri in C.C.No.34 of 2013 for the alleged offences
punishable under Sections 294(b), 427 and 506(ii) of IPC in Crime
No.194/2012, seeks anticipatory bail.

2.The learned counsel appearing for the petitioner has
submitted that earlier, the petitioner was granted bail and
thereafter, he was regularly appearing before the trial Court. On
02.11.2016, due to some unavoidable situation, he could not attend
the court. Hence, non bailable warrant was issued against him and
the same is pending.



3.The learned Government Advocate (Crl.Side) appearing for the respondent has submitted that due to the non-appearance of the petitioner before the court on 02.11.2016, non bailable warrant was issued against him and the same is pending. In the said circumstances, if anticipatory bail is granted, the petitioner would definitely abscond from the clutches of law. Hence, she opposed this petition.

4.Admittedly, the petitioner was earlier granted bail. Subsequently, he did not appear before the trial court. Against him, non-bailable warrant was issued on 02.11.2016. Though the learned counsel for the petitioner has submitted that since his elder brother and younger brother were murdered by some other persons in the year 2011 and 2015 respectively and the petitioner is having life threat and hence, he was absconding and he could not appear before the trial court on 02.11.2016, he has not produced any material to show that he was having any life threat.

5.Considering the fact that non-bailable warrant is pending from 02.11.2016 i.e for 3 years, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this petition is dismissed.

sd/-

05/08/2019

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

TO

- 1 THE SUB INSPECTOR OF POLICE,
THISAYANVILAI POLICE STATION, TIRUNELVELI DISTRICT
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.10973 of 2019

Date :05/08/2019

AM/PN/SAR-1/14.08.2019/ 2 P- 3C