



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/09/2019

WEB COPY

PRESENT

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

CRL OP (MD) . No.12877 of 2019

Ginu, ... Petitioner/Accused No.2

Vs

The State of Tamil Nadu,
Rep by The Inspector of Police,
Pudukadai Police Station,
Kanyakumari District. Crime No.267/2014.
... Respondent/Complainant

For Petitioner : M/s.C.K.M.Appaji,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

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

PRAYER :-

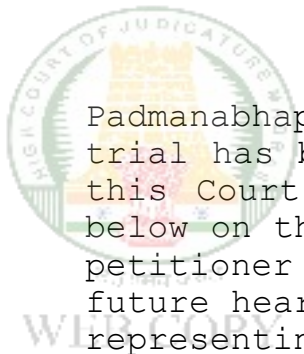
For Anticipatory Bail in Crime No.267 of 2014 on the file of the respondent.

ORDER : The Court made the following order :-

The petitioner apprehending arrest at the hands of the respondent police in S.C.No.205 of 2015, on the file of the learned Additional District and Sessions Judge, Padmanabhapuram, for the offences punishable under Section 3(1) of TNPPDL Act, in Crime No.267 of 2014, seeks anticipatory bail.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

3.The petitioner is facing trial in S.C.No.205 of 2015, on the file of the learned Additional District and Sessions Judge,
<https://hservices.ecourt.gov.in/>



Padmanabhapuram. On account of abscondance for a long period, the trial has been stalled. The petitioner now is seeking relief from this Court. The petitioner undertakes to appear before the Court below on the next hearing date and apply for recall of warrant. The petitioner further undertakes that he will promptly attend all the future hearing dates. If he is unable to appear, the learned counsel representing him before the Court below will file an application under Section 317 of Cr.P.C.

4. Recording the undertaking of the petitioner, I am inclined to permit the petitioner to apply for recall of warrant and his surrender on the next hearing date. The Court below shall recall the warrant and shall not remand the petitioner to judicial custody. If the petitioner breaches of this undertaking, this order will stand vacated automatically and the petitioner will be remanded to custody. Till then, the NBW issued will be kept in abeyance.

5. With this observations, the Criminal Original Petition stands disposed of.

sd/-
17/09/2019

/ TRUE COPY /

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

TO

1. The Additional District and Sessions Judge, Padmanabhapuram.
2. The Inspector of Police,
Pudukadai Police Station, Kanyakumari
District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1CC TO MR.C.K.M.APPAJI, Advocate Sr. No. 15563

ORDER IN
CRL OP (MD) No.12877 of 2019
Date : 17/09/2019

TR/PN/SAR-II (17.09.2019) 2P 5C