

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.09.2020

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.15184 of 2020

C.Rajkumar

... Petitioner

Vs.

State rep.by

The Inspector of Police,
Fairlands Police Station,
Salem City.

(Crime No.219 of 2018 in
S.C.No.46 of 2019)

.... Respondent

PRAYER: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code to enlarge the petitioner on bail in the event of his arrest concerned in the Non-bailable Warrant issued on 10.01.2020 in connection with S.C.No.46 of 2019 on the file of the 1-Additional District Judge, Salem district, in Crime No.219 of 2018 on the file of the Inspector of Police, Fairlands Police Station, Salem City.

For Petitioner : Mr.N.Vijaya Basker

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 302, 148 and 120 (b) of IPC in Crime No.219 of 2018, seeks anticipatory bail.

2. The learned counsel appearing for the petitioner would submit that on 10.01.2020, due to illness, the petitioner was not able to appear before the learned I-Additional District Judge, Salem District in respect of the case in S.C.No.46 of 2019 and hence, non bailable warrant has been issued against the petitioner. He would further submit that the said absence is neither wilful nor wanton and he undertakes that the petitioner shall appear before the Court below regularly on all future hearing dates without fail.

3. The learned Additional Public Prosecution would submit that the non bailable warrant has been issued against the petitioner on 10.01.2020 and the same is pending.

4. Considering the undertaking given by the learned counsel for the petitioner, the petitioner is directed to appear before the learned I-Additional District Judge, Salem District, within a period of two weeks from today and to file a petition to recall NBW already issued against him. On filing of such petition, the concerned learned Judicial Magistrate is directed to consider the same on merits and pass orders on the same day.

5. This criminal original petition is disposed of accordingly.

-sd/-

28/09/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE I ADDITIONAL DISTRICT
JUDGE, SALEM DISTRICT

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
FAIRLANDS POLICE STATION,
SALEM CITY.

CC to M/S. LAW VISON Advocate on payment of necessary charges

CRL OP.15184/2020

Date :28/09/2020

RVR 06/10/2020

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