



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

Date : 29/01/2020

PRESENT

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

CRL OP(MD) . No.1424 of 2020

Vanumamalai

... Petitioner/Accused No.3

Vs

The Inspector of Police,
Radhapuram Police Station,
Radhapuram,
Tirunelveli District.
Cr.No.123 of 2011.

... Respondent/Complainant

For Petitioner : M/s.S.Rajesh Kanna, Advocate.
For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)
For Intervenor : Mr.S.Krishnan

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

PRAYER :-

For Anticipatory Bail in Crime No.123 of 2011 on the file of the respondent police.

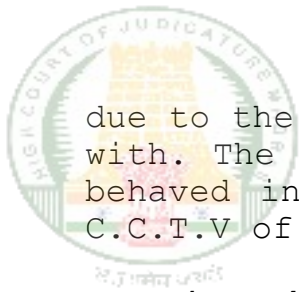
ORDER : The Court made the following order :-

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

2. The petitioner is facing trial in C.C.No.17 of 2017 on the file of the Special Court for Land Grabbing Cases, Tirunelveli District, for the offences under Sections 120(B), 420, 465, 467, 468 and 471 of I.P.C.

3. The learned counsel appearing for the intervenor pointed out that even though the direction has been given in Crl.O.P.(MD)No.2103 of 2018 for conclusion of the trial within a period of six months,

<https://hcservices.ecourts.gov.in/hcservices/>



due to the non-cooperation, the said direction could not be complied with. The intervenor's counsel also pointed out that the petitioner behaved in an atrocious manner and the same has been captured in C.C.T.V of the Court concerned.

4. I have to necessarily take a serious view of the conduct of the petitioner.

5. At this stage, the learned counsel appearing for the petitioner gives an undertaking that the petitioner will appear before the Court below on 05.02.2020 and apply for recall of warrant. He gives a further undertaking that on all future hearing dates, the petitioner will personally appear and cooperate with the conclusion of the trial. The petitioner should not adopt any delaying tactics.

6. It is made clear that if the petitioner tries to breach the undertaking given before this Court, the benefit now given in this order will stand automatically cancelled and the petitioner will be remanded to custody. It will be open to the defacto complainant to apply for cancellation.

7. Recording the petitioner's undertaking, the petitioner is permitted to appear before the Court below on 05.02.2020 and apply for recall of warrant. On such application being filed, the Court below shall recall the warrant at the end of the day.

8. The criminal original petition stands disposed of, on these terms.

sd/-
29/01/2020

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

TO

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

+1 CC to M/s.S.RAJESH KANNA, Advocate (SR-1845[I] dated 30/01/2020)

ORDER IN
CRL OP(MD) No.1424 of 2020
Date :29/01/2020

PMU

<https://hccvcrs.cer.nic.in/> : 30/01/2020 : 2P/4C