



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

Date : 30/01/2020

WEB COPY

PRESENT

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

CRL OP(MD) . No.1540 of 2020

Mathi @ Mathivanan

... Petitioner/Sole Accused

Vs

state rep. By
The Inspector of Police,
Thideer Nagar, Madurai District,
Cr.No.934 of 2010.

... Respondent/Complainant

For Petitioner : M/s.R.Alagumani,
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.934 of 2010 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.

2.The petitioner is facing trial in S.C.No.70 of 2010 on the file of the Additional District and Sessions Judge, Madurai, for the offences under Sections 341, 392 r/w 397 of IPC. He seeks anticipatory bail.

3. The learned Government Advocate (Crl.side) rightly pointed out that since the petitioner has been declared as a proclaimed offender, a petition for anticipatory bail is not maintainable.

4.I fully agree with the said submission. But I do not propose to grant anticipatory bail.

5.The petitioner gives an undertaking that he will appear before the Court below on the next hearing date which appears to be 09.02.2020 and apply for non bailable warrant. The petitioner gives



a further undertaking that he will appear on all the future hearings without any default. Since the petitioner has been absconding for about two years, he undertakes to pay a sum of Rs.2,000/- to the District legal Service Authority, Madurai.

6. Recording the undertaking of the petitioner, the petitioner is permitted to appear before the Court below on 09.02.2020 and apply for recall of warrant. On such application being filed, the warrant issued against the petitioner shall be recalled. The Court below shall also put the petitioner on appropriate terms, so that, the trial itself can be disposed of as early as possible. This criminal original petition is disposed of on these terms.

sd/-
30/01/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE,
MADURAI

2 THE INSPECTOR OF POLICE
THIDEER NAGAR, MADURAI DISTRICT

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

Copy to
THE OFFICER INCHARGE,
DISTRICT LEGAL SERVICE AUTHORITY, MADURAI.

+1. CC to M/S.R.ALAGUMANI Advocate SR.No.1933

ORDER
IN
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MK/SKN/SAR 3 (10.02.2020) 2P 6C