



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/02/2020

WEB COPY

PRESENT

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

CRL OP(MD) . No.3344 of 2020

Suresh @ Suresh Kannan

... Petitioner/Accused No.2

Vs

The Inspector of Police,
CBCID, Sivagangai District.
In Crime No.1 of 2014

... Respondent/Complainant

For Petitioner : M/s.A.Mohan, 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.1 of 2014 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.47 of 2016 on the file of the Fast Track Mahila Court, Sivagangai, for the offences punishable under sections 147, 148, 294(b), 302, 120(b) r/w 109, 34 of IPC. Non bailable warrant was issued against him on 27.01.2020.

3.The petitioner's counsel claims that the petition under Section 317 of Cr.P.C. Was filed. But the same was dismissed.

4.The learned Government Advocate (Crl.side) would point out that there are 12 accused in this case and that this is a double murder. Therefore, in order to delay the proceedings, the accused were adopting dragging on tactics.

5.The petitioner's counsel states that henceforth on all the hearings, the petitioner will personally appear. He will not contribute to delaying the proceedings.



6.If this undertaking is breached, this Court will not hesitate to commit the petitioner to custody.

7.Recording the petitioner's undertaking, the petitioner is directed to appear before the Court below on all the hearings and apply for recall of warrant. On such application being filed, the Court below shall recall the warrant at the end of the day. Non Bailable Warrant shall be kept in abeyance till then.

8. The Criminal Original petition stands disposed of, on these terms.

9.The learned Government Advocate (Crl.side) would also point out that even charges have not been framed in this case and that is why, the appearance of the petitioner is mandatory.

10.I find the said submission to be having considerable substance. The Court below shall ensure that all the accused are present on the next occasion and if they try to play with the Court process, the Court below shall take strict action.

sd/-
25/02/2020

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

TO

1. THE JUDGE, FTC,
MAHILA COURT, SIVAGANGAI.

2. THE INSPECTOR OF POLICE,
CBCID, SIVAGANGAI DISTRICT.

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

+1 CC to M/s.A.MOHAN, Advocate (SR-3966[I] dated 25/02/2020)

ORDER
IN
CRL OP(MD) No.3344 of 2020
Date :25/02/2020

MS/VR/SAR-4/28.02.2020/2P.5C