



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

Date : 28/02/2020

PRESENT

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

CRL OP(MD) . No.3858 of 2020

ALBERT JAMES

... PETITIONER/ACCUSED NO.2

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
KUZHITHURAI POLICE STATION,
KANYAKUMARI DISTRICT.
(CRIME NO.82 OF 2009).

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.M.R.Sreenivasan,
Advocate.

For Respondent : Ms.M.Ananthadevi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.82 of 2009 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 C.C.No.181 of 2018 on the file of the learned Judicial magistrate No.I, Kuzhithurai, in C.C.No.181 of 2018 for the offences under Sections 147, 148, 294 (b), 452, 427, 323, 379(NP) and 506(ii) of IPC. He seeks anticipatory bail.

3. A non bailable warrant is pending against the petitioner. The petitioner through his counsel gives an undertaking that he will appear in all the future hearings without any default. If he is unable to appear, his counsel will represent him and file an



application under Section 317 of Cr.P.C. On account of the petitioner's absence, trial will not be stalled. If this undertaking is breached, the order now passed will stand vacated automatically and the petitioner will be remanded to custody.

4. Recording the said undertaking given by the petitioner through his counsel, the petitioner is directed to appear before the Court below on 13.03.2020 and apply for recall of warrant. On such application being filed, the Court below shall recall the warrant at the end of the day. Non Bailable Warrant shall be kept in abeyance till then.

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

sd/-
28/02/2020

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,
KUZHITHURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI AT NAGERCOIL.
- 3 THE INSPECTOR OF POLICE
KUZHITHURAI POLICE STATION,
KANYAKUMARI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.R.SRINIVASAN, Advocate (SR-4367[I] dated
28/02/2020)

ORDER
IN
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Date :28/02/2020

PNN
JM/VR/SAR 3/05.03.2020/2P/6C