



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

Date : 12/06/2020

PRESENT

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

CRL OP(MD) . No.6135 of 2020

Mahendran

... Petitioner/Sole Accused

Vs

The State rep. by
The Inspector of Police,
S.S.Kottai Police Station,
Sivagangai District.
(Crime No.42 of 2011)

... Respondent/Complainant

For Petitioner : M/s.B.Senthilnathan,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Criminal Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.42 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(Criminal Side) appearing for the respondent.

2. The petitioner apprehending his arrest by the respondent police based on the Non Bailable Warrant issued by the learned Judicial Magistrate, Singampunari in C.C.No.31 of 2019.

3. The petitioner is facing trial in C.C.No.31 of 2019 for the offence under Section 354 I.P.C read with Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002. Non-bailable warrant



is pending against the petitioner for more than one year.

4. The petitioner through his counsel gives an undertaking that after the Courts are reopened on regular basis, he would definitely appear before the trial Court and apply for recall of warrant. He gives a further undertaking that he will appear in all the future hearings without any default. 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.

5. Recording the said undertaking given by the petitioner through his counsel, the Non-Bailable Warrant issued by the petitioner shall be kept in abeyance till the Courts are reopened on regular basis. Immediately, after the Courts are reopened on regular basis, the petitioner will ascertain and get to know the appropriate hearing date and surrender before the Court below and apply for recall of warrant. On such application being filed, the learned Judicial Magistrate, Singampunari is directed to recall the warrant on the same day and the petitioner will not be remanded.

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

sd/-
12/06/2020

/ TRUE COPY /

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

Note : In view of the present lock down owing to COVID -19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE JUDICIAL MAGISTRATE,
SINGAMPUNARI.
2. DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
3. THE INSPECTOR OF POLICE,
S.S.KOTTAI POLICE STATION,
SIVAGANGAI DISTRICT.



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

WEB COPY

ORDER

IN

CRL OP(MD) No.6135 of 2020

Date :12/06/2020

MSA

SRS/ JC/ SAR-II/ 16.06.2020/ 3P/5C