



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

Date : 20/08/2020

PRESENT

The Hon'ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD).No.8697 of 2020

Murugan ... Petitioner/Accused No.2

Vs

State rep.by
The Inspector of Police,
Abiramam Police Station (Crime),
Ramanathapuram District.
Crime.No.124 of 2009.

... Respondent/Complainant

For Petitioner : Mr.S.Saravanakumar,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

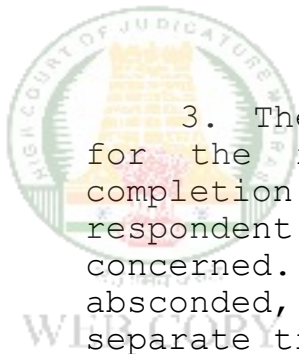
PRAYER :-

For Anticipatory Bail in Cr.No.124 of 2009 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as Accused No.2 in Crime No. 124 of 2009, on the file of the respondent police, apprehends arrest at the hands of the respondent police, for the alleged offences punishable under Sections 3(1) of TNPPDL Act, which is now pending in P.R.C.No.16 of 2016, on the file of the learned District Munsif Cum Judicial Magistrate, Kamuthi, Ramanathapuram District and hence, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (criminal side) for the respondent police.



3. The learned Government Advocate (criminal side) appearing for the respondent, on instructions, would submit that after completion of investigation of the case in Crime No.124 of 2009, the respondent police has filed the final report before the Court concerned. He would further submit that since the petitioner was absconded, the case was split up as against the petitioner and a separate trial was conducted. Due to absence of the petitioner, non-bailable warrant was issued against the petitioner by the trial Court. He further submitted that the case is pending before the Court concerned without any progress because of the pendency of non-bailable warrant against the petitioner. Therefore, he prays for dismissal of the petition.

4. Considering the fact that non-bailable warrant is pending against the petitioner, the petitioner is directed to surrender before the learned District Munsif Cum Judicial Magistrate, Kamuthi, Ramanathapuram on 01.09.2020 and to file a petition for recalling the warrant, within 15 days from the date on which the order copy is made ready and the concerned Court is directed to accept the surrender of the petitioner and consider the petition to be submitted by the petitioner for recalling the warrant, on the same day of his surrender, on merits and in accordance with law.

5. Accordingly, this petition is disposed of.

sd/-
20/08/2020

/ 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 DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
KAMUTHI, RAMANATHAPURAM DISTRICT.
2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
3. THE INSPECTOR OF POLICE
ABIRAMAM POLICE STATION (CRIME),
RAMANATHAPURAM DISTRICT.



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

WEB COPY

ORDER

IN

CRL OP(MD) No.8697 of 2020

Date :20/08/2020

vsd

AE/PN/SAR-III (21.08.2020) 3P 5C