

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty Third day of February Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice V. BHARATHIDASAN

CRIMINAL ORIGINAL PETITION No.1202 of 2021

1 KARTHICK

[PETITIONERS / ACCUSED]

2 DHANSAN @ THALAICHAN

3 VELU @ VELAYUTHAM

4 SUDHENDHIRAN

5 SATHISH

6 MOHAN

7 MANOHAR

8 GOPI

Vs

[RESPONDENT]

STATE REP BY,

THE INSPECTOR OF POLICE,
THIRUKAZHUKUNDRAM POLICE STATION,
CHENGALPATTU DIST.
CRIME NO.517/2014.

For Petitioner : M/S.R.DHANASEKAR Advocate

For Respondent : MR. S.KARTHIKEYAN, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 147, 148, 294(b), 324, 336, 506(ii) and 307 of IPC in P.R.C.No.18 of 2015 on the file of the learned District Munsif cum Judicial Magistrate, Thirukalukundram, seeks anticipatory bail.

2. It is a case of jumped bail. The petitioners are facing trial in P.R.C.No.18 of 2015 on the file of the learned District Munsif cum Judicial Magistrate, Thirukalukundram. Since they did not appear before the trial Court, the trial Judge issued Non Bailable Warrant (NBW) against the petitioners and pursuant to which, the petitioners have approached this Court seeking for anticipatory bail.

3. The learned counsel for the petitioners would submit that since the petitioners did not appear before the trial Court, the trial Court has issued NBW. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor vehemently opposed stating that the petitioners in this case are facing trial in P.R.C.No.18 of 2015 for the offences under Sections 147, 148, 294(b), 324, 336, 506(ii) and 307 of IPC. He would further submit that the case is of the year 2015 and since the petitioners have not appeared before the trial Court, the trial Judge issued NBW against the petitioners and the petitioners are absconding since then. He would further submit that due to their absence, there is no progress in the trial. He would further submit that it is open to the petitioner to surrender before the concerned Court and file a petition for recalling the NBW.

5. In view of the above, this Criminal Original Petition stands closed with a direction to the petitioners to surrender before the learned District Munsif cum Judicial Magistrate, Thirukalukundram, and file an appropriate petition for recalling the non-bailable warrant and the learned trial Judge shall consider the petition and pass orders on merits, on the same day.

-sd/-
23/02/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
THIRUKALUKUNDRAM.

2 THE INSPECTOR OF POLICE, सत्यमेव जयते
THIRUKAZHUKUNDRAM POLICE STATION,
CHENGALPATTU DISTRICT.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.R.DHANASEKAR Advocate on payment of necessary charges

CRL OP.1202/2021

Date :23/02/2021

MK:11/03/2021