

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Monday, the Twenty Second day of March Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice V.BHARATHIDASAN

CRIMINAL ORIGINAL PETITION No.1991 of 2021

NALAVIRUMBI @ BALAKRISHNAN

...PETITIONER / SOLE ACCUSED

Vs

STATE REP BY

THE INSPECTOR OF POLICE,
CHENNAI METRO (CBCID), CHENNAI.
CRIME NO.2 OF 2011

...RESPONDENT/COMPLAINANT

For Petitioner : M/S T.MURUGANANTHAM 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 :-

ORDER

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 465, 468, 471 and 420 of IPC, in C.C.No.1121 of 2012 on the file of the XI Metropolitan Magistrate Court, Saidapet, seeks anticipatory bail.

2. It is a case of jumped bail. The petitioner is facing trial in C.C No.1121 of 2012 on the file of the learned XI Metropolitan Magistrate Court, Saidapet. Since he did not appear before the trial Court on 20.01.2016, the trial Judge issued Non Bailable Warrant (NBW) against the petitioner and pursuant to which, the petitioner has approached this Court seeking for anticipatory bail.

3. The learned counsel for the petitioner would submit that the petitioner for the purpose of getting employment, he has moved to Kerala and he did not appear before the trial Court and the trial Court has issued NBW on 20.01.2016. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor vehemently opposed stating that the petitioner in this case is facing trial in C.C. No.1121 of 2012 for the offence under Sections 465, 468, 471 and 420

of IPC. He would further submit that the case is of the year 2012 and since the petitioner did not appear before the trial Court on 20.01.2016, the trial Judge issued NBW against the petitioner on 20.01.2016 and the petitioner is absconding since then. He would further submit that due to his 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 petitioner to surrender before the learned XI Metropolitan Magistrate Court, Saidapet, Chennai 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/-

22/03/2021

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 METROPOLITAN MAGISTRATE NO XI,
SAIDAPET, CHENNAI.
2. THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI, (FOR INFORMATION)
3. THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.
4. THE INSPECTOR OF POLICE,
CHENNAI METRO (CBCID), CHENNAI.

CRL OP.1991/2021

TK/17.04.2021

Date : 22/03/2021

WEB COPY