

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.03.2021

CORAM :

THE HON'BLE MR. JUSTICE V.BHARATHIDASAN

CrI.O.P.No.4155 of 2021

Rajammal

... Petitioner

Vs.

The State Rep. by its
The Inspector of Police,
Vandavasi South Police Station,
Vandavasi.
(Crime No.817 of 2010)

.... Respondent

PRAYER: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code to enlarge the petitioner on bail in the event of arrest in Crime No.817 of 2020 on the file of respondent police.

For Petitioner : Mr.B.Jawahar

For Respondent : Mr.S.Karthikeyan,
APP

O R D E R

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 174 of Cr.P.C. @ to 364, 396, 397, 302 r/w 120(B) of I.P.C. in Crime No.817 of 2010 on the file of the respondent police, seeks anticipatory bail.

2. Today, when the matter taken up for hearing, the learned Additional Public Prosecutor would submit that the non-bailable warrant is pending against the petitioner before Trial Court. 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.

3. As the non-bailable warrant pending against the petitioner, without approaching the concerned court seeking for recalling the non-bailable warrant, the petitioner cannot seek anticipatory bail. In view of the above, this Criminal Original Petition stands closed with a direction to the petitioner to surrender before the learned Judicial Magistrate Court, Vandavasi within a period of two weeks from the date of receipt of the copy of this order and file an appropriate petition for recalling the non-bailable warrant and the learned trial Judge shall consider the petition and pass appropriate orders on merits, on the same day.

-sd/-

03/03/2021

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 JUDICIAL MAGISTRATE,
VANDAVASI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE
VANDAVASI SOUTH POLICE STATION,
VANDAVASI, TIRUVANNAMALAI DISTRICT

CC to M/S.B.JAWAHAR Advocate on payment of necessary charges

CRL OP.4155/2021

Date :03/03/2021

MK:11/03/2021

WEB COPY