

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Seventeenth day of March Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice V. BHARATHIDASAN

CRIMINAL ORIGINAL PETITION No.4203 of 2021

ZAILDAR SINGH

[PETITIONER / ACCUSED]

Vs

THE STATE REPRESENTED BY [RESPONDENT]
INSPECTOR OF POLICE,
ANNATHANAPATHY POLICE STATION,
SALEM DISTRICT
(CRIME NO.575 OF 2002)

For Petitioner : M/S.R.SANKARASUBBU 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 petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 395, 397, 396 and 120(b) of I.P.C, in Crime No.575 of 2002, seeks anticipatory bail.

2. The case of the prosecution is that earlier the petitioner was arrested and released on bail. Subsequently the petitioner had failed to appear before the Trial Court, thereby the learned Judge issued NBW issued against him and now he has filed this present application seeking for anticipatory bail.

3. Mr.R.Sankarasubbu, learned counsel for the petitioner would submit that the petitioner has been implicated in 4 different cases in 4 different police stations, and in all these cases final report has been filed and the matter is pending for trial. He would further submit that the petitioner was regularly appearing for several years before the Trial Court, due to illness he was not able to appear before the trial court on the last hearing date, hence the learned Trial Judge issued NBW against him in all the four cases. In respect of one murder case, now the petitioner has appeared before the trial Court and the NBW was recalled, hence he is seeking similar relief in this case.

4. The learned Additional Public Prosecutor would submit that the petitioner is a notorious criminal and he has been involved in several serious offence. Earlier he was granted bail and he failed to appear before the Trial Court, thereby NBW was issued against him and the same is pending for a long time, now he has filed this present application seeking anticipatory bail.

5. Considering the fact that NBW is pending against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. However, the petitioner is directed to appear before the Judicial Magistrate No.4 Salem within a period of two weeks from the date of receipt of the copy of this order and to file a petition under Section 70(ii) of Cr.P.C., to recall NBW already issued against him. On filing of such petition, the concerned Magistrate, is directed to consider the same on merits and pass orders on the same day.

6. This criminal original petition is disposed of accordingly.

-sd/-
17/03/2021

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 NO.4,
SALEM.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
ANNATHANAPATHY POLICE STATION,
SALEM DISTRICT

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

CRL OP.4203/2021

Date :17/03/2021

MK:18/03/2021