

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.05.2021

CORAM

THE HONOURABLE MRS. JUSTICE S.KANNAMMAL

Cr1.O.P.No.9037 of 2021

1. M.Palanimuthu
2. M.Kathirvel

...Petitioners

Vs.

State rep. by
The Inspector of Police,
Gengavalli Police Station,
Salem District.
(Crime No.156 of 2013)

...Respondent

Prayer: Criminal Original Petition filed under Section 438 of Criminal Procedure Code, praying to enlarge the petitioners on bail in the event of their arrest in S.C.No.146 of 2015 pending trial on the file of the learned Principal District and Session Judge, Salem, Salem District.

For Petitioners : Mr.E.Kannadasan

For Respondent : Mr.T.Shanmugarajeswaran,
Government Advocate (Cr1.side)

O R D E R

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 427 of IPC & 151 of Cr.P.C. r/w. Section 7 (1) of CLA Act and subsequently altered into 341 of I.P.C and Section 3 (1) of Tamil Nadu Public Property Damages Act as Amendment 1994 and Section 7 (1) (a) of CLA Act in Crime No.156 of 2013, seek anticipatory bail.

2. The learned Government Advocate would submit that the non bailable warrant has been issued against the petitioners by the learned Principal District and Sessions Judge, Salem and the same is pending.

3. Considering the fact that a NBW is pending against the petitioners, this Court is not inclined to grant anticipatory bail to the petitioners. However, the petitioners are directed to appear before the Principal District and Sessions Judge, 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.

4. This criminal original petition is disposed of accordingly.

-sd/-

12/05/2021

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 PRINCIPAL DISTRICT AND
SESSIONS JUDGE, SALEM

2 INSPECTOR OF POLICE,
GENGAVALI POLICE STATION,
SALEM DISTRICT.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.E.KANNADASAN Advocate on payment of necessary charges
Sr.6173

CRL OP.9037/2021

Date :12/05/2021

RVR 15/06/2021

WEB COPY