



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 22/01/2021

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD). No.878 of 2021

Christoper

... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
All Women Police Station,
Aranthangi, Pudukkottai District.
Crime No.4 of 2020

... Respondent/Complainant

For Petitioner : Mr.K.Gokul,
Advocate.

For Respondent : Mr.A.P.G.Ohm Chairma Prabhu,
Government Advocate (Crl.Side)

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

PRAYER :-

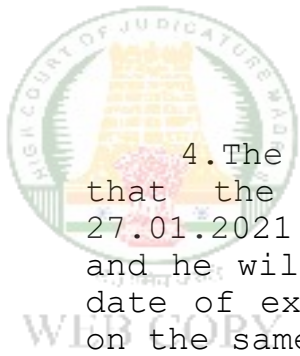
For Anticipatory Bail in Spl.S.C.No.13/2020 on the file of the Mahila Court, Pudukkottai.

ORDER : The Court made the following order :-

The petitioner, who is the sole accused, apprehending arrest at the hands of the respondent police in Spl.S.C.No.13 of 2020 on the file of the Mahila Court, Pudukkottai, for the offences punishable under Section 448 of IPC and Section 8 of Protection of Child from Sexual Offences Act, 2012, seeks anticipatory bail.

2.The petitioner was absent on 08.01.2021 during the trial in Spl.S.C.No.13 of 2020 on the file of the Mahila Court, Pudukkottai. Therefore, Non-Bailable Warrant has been issued on the same day.

3.The learned Government Advocate (Crl. Side) appearing for the respondent Police submitted that the previous hearing (ie., on 08.01.2021) posted for appearance of the victim girl and on that day the petitioner was not present. Hence, the trial could not be proceeded. He further submitted that as per the Act and contention of the Apex Court, the victim girl cannot be called to the Court time and again and not to harass.



4.The learned counsel appearing for the petitioner undertakes that the petitioner shall appear before the Court below on 27.01.2021 and on all future hearing dates regularly without fail and he will not be any cause for any delay in the trial and on the date of examination of the victim girl, he would cross examine her on the same day.

5.Considering the undertaking given by the petitioner, the petitioner is directed to appear before the Mahila Court, Pudukkottai, within a period of two weeks from the date of receipt of copy of this order and to file a petition to recall the NBW issued against him. The concerned Magistrate is directed to consider the same on merits and pass orders on the same day.

6.Accordingly, the Criminal Original Petition is disposed of.

sd/-
22/01/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1.THE JUDGE, MAHILA COURT,
PUDUKKOTTAI.
- 2.THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
ARANTHANGI, PUDUKKOTTAI DISTRICT.
- 3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.878 of 2021
Date :22/01/2021

VSG
TK/PN/SAR.2/22.01.2021/2P/4C