



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/03/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) . No.2127 of 2021

Viji @ Vijimon

... Petitioner/Accused No.3

Vs

State Represented by
The Inspector of Police,
Kaliyakkavilai Police Station,
Kanyakumari District.
Crime No. 446 of 2006.

... Respondent/Complainant

For Petitioner : Mr.A.Thiruvadi Kumar,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.446 of 2006 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A3 who apprehend arrest for the alleged offence under Section 398 of IPC in connection with Non-Bailable Warrant issued in PRC No.13 of 2008, on the file of the learned Judicial Magistrate No.I,Kuzhithurai seeks anticipatory bail.

2.The petitioner has filed an application for anticipatory bail in connection with Crime No. 446 of 2006 and after completion of investigation charge sheet was filed in PRC No.09 of 2008 against four accused persons, in which A1 died. Since the petitioner had gone to Delhi for employment the case was split up against A2 and A4 who are brother of the petitioner in PRC No.9 of 2018 and later it was taken in S.C.NO.60 of 2008 and after full fledged trial the case is ended in acquittal on 10.04.2017. The petitioner is a sole



accused and due to his employment he was held up at North India and he is now ready to participate in the trial.

3.Considering the undertaking given by the petitioner, the petitioner is directed to appear before the learned Judicial Magistrate No.I, Kuzhithurai in PRC No.13 of 2008, 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 them. The concerned Magistrate is directed to consider the same on merits and pass orders on the same day.

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

sd/-
01/03/2021

/ 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 JUDICIAL MAGISTRATE NO.I,
KUZHITHURAI, KANYAKUMARI DISTRICT.

2.-DO THRO'THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.

3 THE INSPECTOR OF POLICE,
KALIYAKKAVILAI POLICE STATION,
KANYAKUMARI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to Mr.A.THIRUVADIKUMAR, Advocate (SR-1635[I] dated 02/03/2021)

ORDER
IN
CRL OP(MD) No.2127 of 2021
Date :01/03/2021

AAV

AE/VR/SAR-II (03/03/2021) 2P / 6C

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