



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

Date : 23/03/2021

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD)No.4392 of 2021

1.Shanmuga Sundaram
2.Kasamadan @ Mookaiash
3.Iyyappan
4.Bala @ Balakrishnan,
5.Arumugakani @ Arumuga Jothi,
6.Sokkalinga Thevar
7.Sivanuthevar
8.Muthuramalingam

... Petitioners/Accused
No.4 to 7, 10 to 13

Vs

State represented by,
The Inspector of Police,
Seidunganallur Police Station,
Seidunganallur,
Thoothukudi District
Crime No.12 of 2013

... Respondent/Complainant

For Petitioner : Mr.N.Pragalathan,
Advocate.

For Respondent : Mr.M.Chandrasekaran,
Additional Public Prosecutor

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

PRAYER :-For Anticipatory Bail in Crime No. 12 of 2013 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioners, who apprehends arrest at the hands of the respondent police in S.C.No.327 of 2018 on the file of the 2nd Additional District & Sessions Court, Thoothukudi for the offences punishable under Sections 307, 302 and 109 IPC, seek anticipatory bail.

2.The petitioners were absent during the trial in S.C.No.327 of 2018 on the file of the 2nd Additional District & Sessions Court, Thoothukudi. Therefore, Non-Bailable Warrant came to be issued. This Court by an order dated 10.02.2021 directed the petitioners to



appear before the concerned Judge, within a period of two weeks from the date of receipt of copy of that order. However, they failed to appear in time.

3.The learned counsel appearing for the petitioners would submit that the counsel was unable to contact the petitioners and failed to communicate the same. Hence, the present petition. He undertakes that the petitioners shall appear before the Court below regularly on all future hearing dates without fail.

4.Considering the undertaking given by the petitioners, the petitioners are directed to appear before the 2nd Additional District & Sessions Court, Thoothukudi, 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 learned Judge is directed to consider the same on merits and pass orders on the same day.

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

sd/-
23/03/2021

/ 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 II ADDITIONAL DISTRICT AND SESSIONS JUDGE,
THOOTHUKUDI

2.THE INSPECTOR OF POLICE
SEIDUNGANALLUR POLICE STATION,
SEIDUNGANALLUR, THOOTHUKUDI DISTRICT

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

+1. CC to Mr.N.PRAGALATHAN, Advocate SR.No.2436

ORDER IN
CRL OP(MD) No.4392 of 2021
Date :23/03/2021

GNS

<https://hccvcs142.rg.gov.in/cse2/0231> : 2P/5C