



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twentieth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.12037 of 2022

S.C.NO.1 OF 2017

(ON THE FILE OF THE SUB COURT, NAGAPATTINAM)

THAVAMANI

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
PEW NAGAPATTINAM,
NAGAPATTINAM DISTRICT.
CRIME NO.314/2015.

[RESPONDENT]

For Petitioner : M/S.ILAYARAJA KANDASAMY Advocate

For Respondent : MR.A.DAMODARAN, 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 Section 4(1)(aaa) of Tamil Nadu Prohibition (TNP) Act in connection with SC.No.1 of 2017 on the file of Sub Court, Nagapattinam in Crime No.314 of 2015 on the file of respondent police, seeks anticipatory bail.

2. The learned counsel appearing for the petitioner would submit that on 23.12.2021, due to illness, the petitioner was not able to appear before the learned Sub Judge, Nagapattinam in respect of the case in SC.No.1 of 2017 and hence, non bailable warrant has been issued against the petitioner. He would further submit that the said absence is neither willful nor wanton and he undertakes that the petitioner shall appear before the Court below regularly on all future hearing dates without fail.



3. The learned Additional Public Prosecutor would submit that the non bailable warrant has been issued against the petitioner on 23.12.2021 and the same is pending.

4. Considering the undertaking given by the learned counsel for the petitioner, the petitioner is directed to appear before the learned Sub Judge, Nagapattinam within a period of two weeks from today and to file a petition to recall NBW already issued against him. On filing of such petition, the learned Sub Judge concerned is directed to consider the same on merits and pass orders on the same day.

5. This criminal original petition is disposed of accordingly.

-sd/-
20/05/2022

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 SUB COURT,
NAGAPATTINAM.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
PEW NAGAPATTINAM,
NAGAPATTINAM DISTRICT.

+1 CC to M/S.ILAYARAJA KANDASAMY Advocate on payment of
necessary charges SR.NO.7719

CRL OP.12037/2022

Date :20/05/2022

TA-25/05/2022