



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Third day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.14377 of 2022

IN C.C.No.12 of 2019

(ON THE FILE OF THE JUDICIAL MAGISTRATE-I AT POONAMALLEE)

C.PARTHASARATHY

[PETITIONER / ACCUSED]

Vs

INSPECTOR OF POLICE
CENTRAL CRIME BRANCH,
EDF-I, TEAM-I, VEPERY,
CHENNAI-600 007.
CRIME NO.500 OF 2012

[RESPONDENT]

For Petitioner : M/S.D.S.RAMESH Advocate

For Respondent : M/S.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 Sections 408, 420, 477A, 465, 467, 468 r/w 471, r/w 120(b), 109 of I.P.C., in Crime No.500 of 2012, seeks anticipatory bail.

2. The petitioner is facing trial in C.C.No.12 of 2019 on the file of the Judicial Magistrate No.I Court, Poonamallee for the offences punishable under Sections 408, 420, 477A, 465, 467, 468 r/w 471, r/w 120(b), 109 of I.P.C., and due to his non appearance, the trial Court issued Non-bailable warrant as against the petitioner on 08.09.2021. Hence, the petitioner filed this present petition.



3. The learned counsel appearing for the petitioner would submit that, due to illness, the petitioner was not able to appear before the Judicial Magistrate No.I Court, Poonamallee in respect of the case in C.C.No.12 of 2019 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.

4. The learned Additional Public Prosecutor would submit that the non bailable warrant has been issued against the petitioner on 08.09.2021 and the same is pending.

5. Considering the undertaking given by the learned counsel for the petitioner, the petitioner is directed to appear before the Judicial Magistrate No.I Court, Poonamallee, 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 concerned learned Judicial Magistrate is directed to consider the same on merits and pass orders on the same day.

6. It is made clear that while considering the petition to recall, the Court below shall bear in mind about the period of Non Bailable Warrant and any crime committed while pending Non Bailable Warrant. Mere direction issued by this Court to consider the application on the same day does not amount to direction to consider the recall petition favourably.

7. This criminal original petition is disposed of accordingly.

-sd/-
23/06/2022

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.



1 THE JUDICIAL MAGISTRATE,
NO.I, POONAMALLEE.

2 THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH,
EDF-I, TEAM-I, VEPERY,
CHENNAI-600 007.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.D.S.RAMESH Advocate on payment of necessary charges
SR.NO. 10275

CRL OP.14377/2022

Date :23/06/2022

RW-29/06/2022