



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the First day of July Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.15238 of 2022

IN S.C.NO.56 of 2020

(ON THE FILE OF ADDITIONAL DISTRICT COURT, HOSUR)

V.VENKATACHALAPATHY

[PETITIONER / ACCUSED]

Vs

THE STATE BY
INSPECTOR OF POLICE,
DENKANIKOTTAI POLICE STATION,
KRISHNAGIRI.

[RESPONDENT]

For Petitioner : M/S. A.SAKTHIVEL 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 302, 147, 148, 364 and 109 IPC, in S.C.No.56 of 2020, seeks anticipatory bail.

2. The petitioner is facing trial in S.C.No.56 of 2020 on the file of the learned Additional District Court, Hosur for the offences punishable under Sections 302, 147, 148, 364 and 109 of I.P.C., and due to his non appearance, the trial Court issued Non-bailable warrant as against the petitioner on 22.03.2022. Hence, the petitioner filed this present petition.

3. The learned counsel appearing for the petitioner would submit that, the petitioner was not able to appear before the learned Additional District Court, Hosur in respect of the case in S.C.No.56



of 2020 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.

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4. The learned Additional Public Prosecutor would submit that the non bailable warrant has been issued against the petitioner on 22.03.2022 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 learned Additional District Court, Hosur 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 trial Court 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/-

01/07/2022

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 ADDITIONAL DISTRICT COURT,
HOSUR.

2 INSPECTOR OF POLICE,
DENKANIKOTTAI POLICE STATION,
KRISHNAGIRI.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.



+1 CC to M/S. A.SAKTHIVEL
charges SR.NO. 10481

Advocate on payment of necessary

CRL OP.15238/2022

Date :01/07/2022

RW-06/07/2022

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