



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

Date : 28/06/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD) . No.9705 of 2022

M.Vellaisamy

... Petitioner/Accused

Vs

The Sub Inspector of Police,
Valanadu Police Station,
Manaparai Taluk,
Trichy District.
(Crime No. 52 of 2017).

... Respondent/Complainant

For Petitioner : Mr.Vellaisamy M(Party in Person)

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-

To enlarge the petitioner on Anticipatory bail in the event of his arrest through non bailable warrant issued in connection with C.C No. 171 of 2008 on the file of the Learned Judicial Magistrate, Manaparai, Trichy district pending trial.

ORDER : The Court made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 353 and 506(ii) I.P.C, in Crime No.52 of 2017 on the file of the respondent police, seeks anticipatory bail.

2.This petition is moved by party-in-person, who has been arrayed as single accused in C.C.No.174 of 2018. He is present in person today before this Court. He would submit that during the investigation stage, when the summon was about to be served, he refused to receive the same stating that his son was kidnapped and murdered. It is seen that there was a matrimonial dispute between the petitioner and his wife. The entire development came into conclusion and this case has been registered against this petitioner in respect of his refusal and preventing the Government Official from discharging his official duty. Now, the warrant has been issued against him on 11.04.2022 because of his non-appearance.



3.The petitioner would further submit that on the date of the hearing, he was about to appear before the Hon'ble Supreme Court and so, he was not in a position to appear before the trial Court. Now, warrant has been issued against him and so, he must be granted with anticipatory bail.

4.Since warrant has been issued against the petitioner, he must surrender before the concerned Court and get the warrant recalled by filing appropriate petition before the concerned Court. The concerned Court may also take into account the factual aspects also, while considering the warrant recall petition.

5.With the aforesaid liberty, this Criminal Original Petition is dismissed.

sd/-
28/06/2022

/ TRUE COPY /

/ /2022
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,
MANAPARAI, TRICHY DISTRICT.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE SUB INSPECTOR OF POLICE,
VALANADU POLICE STATION, MANAPARAI TALUK,
TRICHY DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.VELLAISAMY, (Party in Person) (SR-6260[I] dated 28/06/2022)

ORDER IN
CRL OP(MD) No.9705 of 2022
Date :28/06/2022