

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

(Criminal Jurisdiction)

Date : 16.06.2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR**CRL OP(MD) . No.10652 of 2022**

R.Prasath ... Petitioner/Sole Accused

Vs

1.The State represented by
The Inspector of Police,
K.Vilakku Police Station,
Theni District. ... Respondent/Respondent

2.C.Jawahar ... Respondent/Complainant

For Petitioner : Mr.R.Murugappan, Advocate.

For Respondents: Mr.P.Kottai Chamy,
Government Advocate(Crl.Side)for R1

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

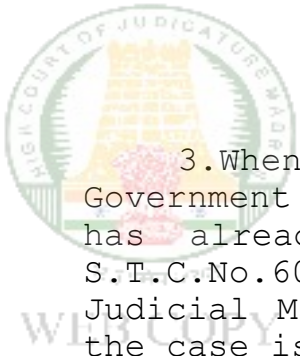
PRAYER :-

For Anticipatory Bail in S.T.C.No.606 of 2019 on the file of
the District Munsif cum Judicial Magistrate Court, Kodaikanal,
Dindigul District.

ORDER : The Court made the following order :-

The petitioner/sole accused apprehends arrest at the hands of
the respondent police in S.T.C.No.606 of 2019 on the file of the
District Munsif cum Judicial Magistrate Court, Kodaikanal, Dindigul
District for the alleged offences under Sections 188 r/w 66 of the
Negotiable Instruments Act, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner had
borrowed a sum of Rs.7,00,000/- from the second respondent and when
the second respondent demanded the petitioner to repay the amount,
the petitioner has issued a cheque to the second respondent and the
same was returned as "Dishonored". Hence, the complaint.



3. When the matter is taken up for hearing today, the learned Government Advocate (Criminal Side) would submit that charge sheet has already been filed and the same was taken on file in S.T.C.No.606 of 2019 on the file of the learned District Munsif cum Judicial Magistrate Court, Kodaikanal, Dindigul District, and that the case is pending for the past 3 years.

4. Admittedly, Non-Bailable Warrant (NBW) is pending against the petitioner from 12.05.2022 and the petitioner has not approached the trial Court to recall the warrant pending against him. Without availing the alternative remedy available before the trial Court, he has chosen to approach this Court directly. Moreover, the petitioner has not shown any specific or special reason so as to enable this Court to invoke Section 482 Cr.P.C. Hence, this Court is not inclined to grant anticipatory bail to the petitioner.

5. In the result, this Criminal Original Petition is dismissed.

Sd/-
16/06/2022

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/ /2022
Sub-Assistant Registrar (C.S.I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

TO

1. THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE,
KODAIKANAL, DINDIGUL DISTRICT.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
3. THE INSPECTOR OF POLICE,
K.VILAKKU POLICE STATION,
THENI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 + 1 CC TO Mr.R.MURUGAPPAN, Advocate. SR.No.5679

ORDER
IN
CRL OP(MD) No.10652 of 2022
Date :16/06/2022