



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/10/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD).No.18824 of 2022

Ranjith

... Petitioner/Accused No.3

Vs

State rep.by
The Inspector of Police,
Vattathikottai Police Station,
Thanjavur District.
(Crime No.10 of 2017)

... Respondent/Complainant

For Petitioner : Mr.B.Anandan, Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.10 of 2017 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner/A3, who is arrayed as Accused No.3 in Crime No.10 of 2017, on the file of the respondent police, apprehends arrest at the hands of the respondent police, for the alleged offences punishable under Sections 147, 148, 341, 324 and 307 IPC., which is now pending in P.R.C.No.35 of 2019, on the file of the learned Judicial Magistrate, Pattukkottai and hence, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant and one Govindaraj are hailing from same place. The first accused/Balakrishnan used to visit Govindaraj in his house frequently and by which the first accused developed illicit



relationship with his wife. On 16.01.2017, the first accused went to Govindaraj's house and on seeing the same, Govindaraj warned him. Hence, the first accused along with other accused quarrelled with him. On seeing this, the neighbours along with the defacto complainant's husband prevented Govindaraj. At that time, Govindaraj's wife notified that the defacto complainant's husband was the cause for all these issue. Therefore, the accused persons attacked him with wooden-log and he fainted with blood. He was taken to Pattukkottai Government Hospital and thereafter he was sent to Thanjavur Medical College Hospital for further treatment. Hence, the compliant.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. Hence, he prays for anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that after completion of investigation of the case in Crime No.10 of 2017, the respondent police has filed the final report before the Court concerned. He would further submit that since the petitioner was absconded, the case was split up as against the petitioner and a separate trial was conducted. Due to absence of the petitioner, Non Bailable Warrant was issued as against the petitioner on 12.07.2019. He would further submit that the case is pending before the Court concerned without any progress because of the pendency of Non Bailable Warrant against the petitioner. Therefore, he prays for dismissal of the petitioner.

5.Considering the fact that Non Bailable warrant is pending against the petitioner, the petitioner is directed to surrender before the learned Judicial Magistrate, Pattukkottai and to file a petition for recalling the warrant, within 15 days from the date on which the order copy is made ready and the concerned Court is directed to accept the surrender of the petitioner and consider the petition to be submitted by the petitioner for recalling the warrant, on the same day of his surrender, on merits and in accordance with law.

6. Accordingly, this petition is disposed of.

Sd/-
20/10/2022

/ TRUE COPY /

/11/2022

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

vsd



1. THE JUDICIAL MAGISTRATE,
PATTUKKOTTAI.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE INSPECTOR OF POLICE,
VATTATHIKOTTAI POLICE STATION,
THANJAVUR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.18824 of 2022
Date :20/10/2022

SP/SSS/SAR IV/04/11/2022/3P/5C