



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

Date : 26/10/2022

PRESENT

WEB COPY

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

CRL OP(MD) . No.18989 of 2022

Pandiaraj @ Karuthapandi

... Petitioner/Accused No.6

Vs

The State Rep. By,
The Inspector of Police,
Alangulam Police Station,
Tirunelveli District.
Crime No. 53/2013.

... Respondent/Complainant

For Petitioner : M/s.Mahendrapathy S,
Advocate.
For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :-

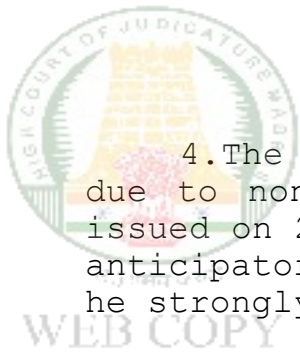
For Anticipatory Bail in Crime No. 53 of 2013 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/A6, who is facing a case for the offence under Sections 147, 148, 294(b), 307, 353 and 506(ii) of IPC in P.R.C.No.48 of 2017 on the file of the learned Judicial Magistrate, Alangulam, Tirunelveli District, in crime No.53 of 2013 on the file of the respondent police, seeks anticipatory bail.

2.During the course of trial in P.R.C.No.48 of 2017, the petitioner was absent before the learned Judicial Magistrate, Alangulam, Tirunelveli District. Therefore, Non-Bailable Warrant came to be issued against him on 26.09.2022.

3.The learned counsel appearing for the petitioner would submit that due to ill health of the petitioner, he was not able to appear before the Court on 26.09.2022. Therefore, Non-Bailable Warrant was issued against him on 26.09.2022. He further would further submit that the act of the petitioner is neither wilful nor wanton. Hence, he prays for anticipatory bail to the petitioner.



4.The learned Government Advocate (Crl. side) would submit that due to non-appearance of the petitioner, Non-Bailable Warrant was issued on 26.09.2022. He would further submit that if he is granted anticipatory bail, there is every likelihood of absconding. Hence, he strongly opposed to grant anticipatory bail to him.

5.Considering the fact that Non Bailable warrant is pending against the petitioner, the petitioner is directed to surrender before the learned Judicial Magistrate, Alangulam, Tirunelveli District 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 Criminal Original Petition is disposed of.

sd/-
26/10/2022

/ TRUE COPY /

/11/2022

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

TO

1. THE JUDICIAL MAGISTRATE,
ALANGULAM, TIRUNELVELI DISTRICT.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE INSPECTOR OF POLICE,
ALANGULAM POLICE STATION,
TIRUNELVELI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.MAHENDRAPATHY, Advocate (SR-11980[I] dated 27/10/2022)

ORDER
IN
CRL OP(MD) No.18989 of 2022
Date :26/10/2022

cp

<https://www.csbj.in/SAR-III/10.11.2022/2P/6C>