



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.12.2022

PRESENT

THE HON'BLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

CRL.O.P(MD)No.22193 of 2022

WEB COPY

Shanmuga Sundari

...Petitioner/Accused No.2

-vs-

The State represented by
The Inspector of Police,
All Women Police Station,
Valliyoor, Tirunelveli District.
(in Cr.No.11 of 2019)

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to enlarge the petitioner on bail in the event of her arrest in C.C.No.336 of 2021 in pursuant to the warrant issued by the learned Judicial Magistrate, Vallilyoor, dated 14.11.2022.

For Petitioner
For Respondent

: Mr.K.Sivabalan
: Mr.A.Albert James
Government Advocate (Crl.side)

O R D E R

The learned Counsel for the petitioner would submit that the petitioner apprehends arrest pursuant to the Non Bailable warrant issued against the petitioner on 14.11.2022 by the learned Judicial Magistrate, Vallilyoor.

2.The learned Counsel for the petitioner would submit that the petitioner is arrayed as A2 in C.C.No.336 of 2021 pending trial on the file of the learned Judicial Magistrate, Vallilyoor. The petitioner had been regularly appearing before the Court concerned and that she was unable to appear before the Court concerned on 14.11.2022, thereby, the learned Judicial Magistrate, Vallilyoor, had issued Non Bailable Warrant against the petitioner. He would submit that the petitioner was unable to appear before the Court concerned due to her illness and thereby, he would seek for anticipatory bail.

3.The learned Government Advocate (Crl.side) would submit that the petitioner is the Accused No.2 in C.C.No.336 of 2021. Since, the petitioner did not appear before the trial Court on 14.11.2022, the learned Judge had issued the NBW of arrest. He would submit that the case is now stand posted for trial on 23.01.2023, for appearance of witnesses. He would also submit that the only option available to the petitioner is to surrender before the Court concerned and to file an application for recall of warrant.



5.Considering the submissions made by the learned Counsel for the petitioner as well as the learned Government Advocate (Crl.side), the petitioner is directed to surrender before the Court concerned and file a petition seeking to recall Non Bailable Warrant and the learned Judicial Magistrate, Valliyoor, shall consider and pass appropriate orders on the same day taking into consideration the merits of the case.

6.With the above directions, this Criminal Original Petition is disposed of.

sd/-
15/12/2022

/ TRUE COPY /

/12/2022

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

TO

1 THE JUDICIAL MAGISTRATE,
VALLIYOOR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, VALLIYOOR,
TIRUNELVELI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S. SIVABALAN .K Advocate SR.No.14904

ORDER
IN
CRL OP(MD) No.22193 of 2022
Date :15/12/2022

SS/SSS/SAR IV/21/12/2022/ 2P 6C