



WEB COPY

CRL OP(MD)



23

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

Date : 11/01/2023

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD) . No.691 of 2023

Jeyaraj

... Petitioner/Accused No.1

Vs

State rep.by
The Inspector of Police,
Vattathikottai Police Station,
Thanjavur District
(Crime No.238 of 2008
in C.C.No.314 of 2017).

... Respondent/Complainant

For Petitioner : Mr.D.R.Murugesan
Advocate.
For Respondent : Mr.M.Veeranthiran
Government Advocate (Crl.Side)

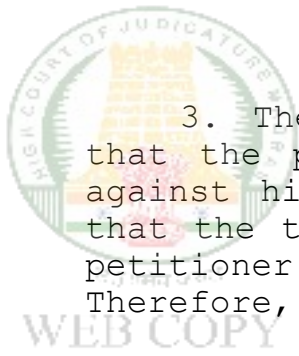
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-For Anticipatory Bail in Crime No.238 of 2008 in C.C.No.314 of 2017 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner apprehends arrest pursuant to issuance of Non Bailable Warrant on 22.03.2018 in Crime No.238 of 2008 in C.C.No.314 of 2017 on the file of the Judicial Magistrate, Pattukottai, Thanjavur District issued and seeks anticipatory bail.

2. The learned counsel for the petitioner would submit that the petitioner is the first accused and the respondent had initially registered a case in Crime No.238 of 2008 for the offences under Sections 147, 120, 294(b) and 506(i) IPC. The petitioner was granted anticipatory bail. Subsequently, final report was filed and the case was taken on file as C.C.No.587 of 2010. Thereafter, there was no progress in the trial. During such time, the petitioner was employed abroad and he had gone away and later the case against the petitioner was split up in C.C.No.314 of 2014 and the learned Magistrate has issued Non Bailable Warrant on 08.01.2019.



3. The learned counsel for the petitioner would also submit that the petitioner, on coming to know the pendency of the case against him, has returned back to India. He would further submit that the trial in respect of other accused ended in acquittal. The petitioner is ready to co-operate for disposal of the trial. Therefore, the petitioner has sought for anticipatory bail.

4. The learned Government Advocate (Crl.side) would submit that it is a case of the year 2017 and the petitioner absconded and thereby the case was split up against the petitioner. He would submit that the petitioner may be directed to surrender and file an application to recall Non Bailable Warrant and he opposed for grant of anticipatory bail.

5. Considering the facts and circumstances of the case, a direction is issued to the petitioner to surrender before the trial court and file an application to recall Non Bailable Warrant and on such application being filed, the learned Magistrate is directed to consider and pass orders on the same day by considering the merits of the case. This petition is disposed of accordingly.

sd/-

11/01/2023

/ TRUE COPY /

/01/2023

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

TO

1 THE JUDICIAL MAGISTRATE,
PATTUKOTTAI,
THANJAVUR DISTRICT

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.

+1. CC to M/S.MURUGESAN.D.R. Advocate SR.No.553

ORDER

IN

CRL OP(MD) No.691 of 2023

Date :11/01/2023

CM

<https://www.mhcc.gov.in/> IV(27.01.2023) 2P 6C