



WEB COPY

CRL OP(MD).



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

Date : 30/01/2023

PRESENT

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

CRL OP(MD) . No.1708 of 2023

Ravi.V

... Petitioner/Sole Accused

Vs

THE STATE The State rep.by,
The Inspector of Police,
Shenkottai Police Station,
Tenkasi District.
Crime No.346 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Rajaboopathy.D,
Advocate.

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.346 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent police for the offence under Section 229A of IPC in Crime No.346 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The learned counsel for the petitioner would submit that the petitioner is an accused, facing trial in S.T.C.No.451 of 2015 on the file of the learned Judicial Magistrate, Shenkottai, Tenkasi District for the offence under Section 138 of N.I. Act in respect of the return of cheque for a sum Rs.5,00,000/-. The petitioner had settled the entire amount and however, it was not brought to the knowledge of the Court and thereby, the Court had issued Non-Bailable Warrant of arrest against him. He would further submit that the petitioner is ready to surrender before the concerned Court and

<https://www.court.gov.in>



would seek for anticipatory bail.

3.The learned Government Advocate (Crl. side) would submit that the petitioner has not appeared before the Court and thereby, the present case came to be registered based on the complaint given by the Head Clerk of the concerned Court. Therefore, the Non-Bailable Warrant is pending and that the petitioner has to surrender before the Concerned Court and he has to file an application for recalling the warrant.

4.Heard. Perused the materials available on record.

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, Shengottai shall consider and pass appropriate orders on the same day, taking into consideration the merits of the case, within a period of two weeks from the date of receipt of a copy of this order.

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

sd/-

30/01/2023

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/02/2023

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

SJI

TO

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

ORDER

IN

CRL OP(MD) No.1708 of 2023

Date :30/01/2023