



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/02/2023

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PRESENT

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

Muneeswaran CRL OP(MD). Nos.2522 to 2525 of 2023
...Petitioner/Accused No.1
in CrI.O.P(MD)No.2522/23
...Petitioner/Accused No.1
in CrI.O.P(MD)No.2523/23
...Petitioner/Accused No.1
in CrI.O.P(MD)No.2524/23
...Petitioner/Accused No.1
in CrI.O.P(MD)No.2525/23

Vs.

The State rep.by
The Inspector of Police,
Allinagar Police Station,
Theni District
(Crime Nos.171, 378, 197
and 373 of 2016)

... Respondent/Complainant
in all CrI.O.Ps.

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

COMMON PRAYER in CRL OP(MD)Nos.2522 TO 2525 of 2023:

Pleased to enlarge the petitioner on bail in the even of his arrest or surrender in the case in C.C.Nos.104,105,106 &112 of 2017 on the file of the Learned Jdicial Magistrate, Theni in Crime Nos.171,378,197 & 373 of 2016 on the file of the respondent police.

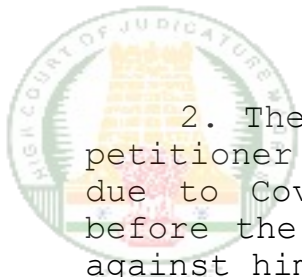
In all petitions:

For Petitioner : M/s.A.Jayalakshmi, Advocate

For Respondent : Mr.P.Kottai Chamy
Government Advocate (CrI.Side)

C O M M O N O R D E R

The petitioner, who apprehends arrest pursuant to issuance of Non Bailable Warrant in Crime Nos. 171, 378, 197 and 373 of 2016, seeks anticipatory bail.



2. The learned counsel for the petitioner would submit the petitioner had been regularly appearing before the court. However, due to Covid pandemic situation, the petitioner could not appear before the Court due to which Non Bailable Warrant has been issued against him. He prays for grant of anticipatory bail.

3. Per contra, the learned Government Advocate (Crl.side) would submit that the petitioner is arrayed as first accused in all the cases and he has not appeared before the Court though the pandemic restrictions were cleared as early as in 2021 and therefore, Non Bailable Warrant has been issued. He would submit that the cases are of the year 2016 and therefore, the petitioner may be directed to surrender and file applications to recall Non Bailable Warrant. Hence, he opposed for grant of anticipatory bail.

4. In view of the above, a direction is issued to the petitioner to surrender before the trial court and file applications to recall Non Bailable Warrant and on such applications being filed, the learned Magistrate is directed to consider and pass orders on the same day by considering the merits of the cases. These petitions are disposed of accordingly.

sd/-

08/02/2023

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/02/2023

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

CM
TO

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

ORDER

IN

CRL OP(MD)Nos.2522 to 2525 of 2023

Date :08/02/2023

PKP/SBN/SAR-3/16.02.2023/2P/5C

<https://www.mhc.tn.gov.in/judis>