



WEB COPY

CRL OP(MD).



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

Date : 20/02/2023

PRESENT

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

CRL OP(MD) . No.3200 of 2023

Basupathi

... Petitioner/Accused No.1

Vs

THE STATE REP BY,
The Inspector of Police,
Kottar Police Station,
Kanyakumari District.
Crime No. 284 of 2015.

... Respondent/Complainant

For Petitioner : G.Aravinthan,

For Respondent : Mr.M.Veeranthiran,
Government Advocate (Crl.Side)

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

PRAYER :-

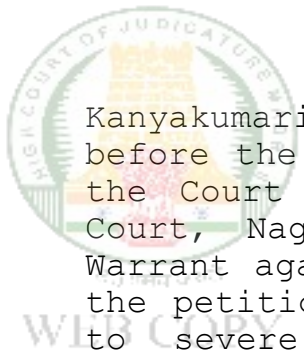
To enlarge the petitioner on bail in the event of his arrest in connection with the issuance of Non-Bailable Warrant issued against the petitioner in S.C.No.57 of 2022 on the file of the learned Additional District Court, Nagercoil, Kanyakumari District in connection with the case in Crime No.284 of 2015 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A1 who apprehends arrest for the alleged offence under Sections 147, 148, 364(A), 294(b), 323, 324 and 506(2) of IPC r/w Sections 149 of IPC in connection with Non-Bailable Warrant issued in S.C.No.57 of 2022, on the file of the learned Additional District Court, Nagercoil, Kanyakumari District in Crime No.284 of 2015 on the file of the respondent police, seeks anticipatory bail.

2.The learned Counsel for the petitioner would submit that the petitioner is arrayed as A1 in S.C.No.57 of 2022 pending trial on the file of the learned Additional District Court, Nagercoil, Kanyakumari District.

<https://www.crl.op.md.in/>



Kanyakumari District. The petitioner had been regularly appearing before the Court concerned and that he was unable to appear before the Court concerned and thereby, the learned Additional District Court, Nagercoil, Kanyakumari District, had issued Non Bailable Warrant against the petitioner on 09.06.2022. He would submit that the petitioner was unable to appear before the Court concerned due to severe financial crisis and thereby, he would seek for anticipatory bail.

3.The learned Government Advocate (Crl.side) would submit that the petitioner is the Accused No.1 in S.C.No.57 of 2022. Since, the petitioner did not appear before the trial Court on 09.06.2022, the learned Additional District Court, Nagercoil, Kanyakumari District had issued the NBW of arrest. 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.

4.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 Additional District Court, Nagercoil, Kanyakumari District, shall consider and pass appropriate orders on the same day taking into consideration the merits of the case.

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

sd/-
20/02/2023

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/02/2023

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

SJI

TO

1. The Additional District Court,
Nagercoil, Kanyakumari District.
2. The Inspector of Police,
Kottar Police Station,
Kanyakumari District.



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3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.G.ARAVINTHAN, Advocate (SR-2651[I] dated 22/02/2023)

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ORDER
IN
CRL OP(MD) No.3200 of 2023
Date : 20/02/2023

NA/BUC/SAR-I/28.02.2023/3P/5C