



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



Wednesday, the First day of March Two Thousand and Twenty Three

PRESENT

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

CRL OP(MD) . No.3693 of 2023

Murugan

... Petitioner/Accused No.6

Vs

The State rep by,
The Inspector of Police,
Valliyoore Police Station,
Tirunelveli District
In Crime No.141 of 2006

... Respondent/Complainant

For Petitioner : Mr.S.Vijayakumar
For Respondent : Mr.K.Sanjai Gandhi
Government Advocate (Crl.Side)

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

PRAYER :-

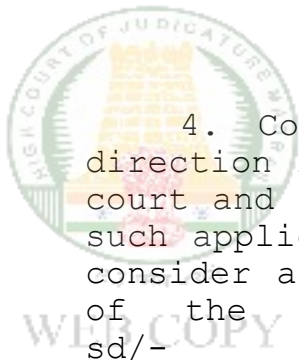
For Anticipatory Bail in Crime No.141 of 2006 on the file of the respondent police in C.C.No.348 of 2008 on the Judicial Magistrate, Valliyoore.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest pursuant to issuance of Non Bailable Warrant in Crime No.141 of 2006 in C.C.No.348 of 2008 on the Judicial Magistrate, Valliyoore, seeks anticipatory bail.

2. The learned counsel for the petitioner would submit that the petitioner is an accused in C.C.No.348 of 2008 on the file of the Judicial Magistrate, Valliyoore, and the case was posted for trial on 23.05.2016 and on that day, since the petitioner is unable to attend the Court, the learned Magistrate has issued Non Bailable Warrant of arrest against him. He prays for grant of anticipatory bail.

3. The learned Government Advocate (Crl.side) would submit that the petitioner has been absconding from 23.05.2016 and due to that the trial is pending. He would also submit that the option available to the petitioner is to appear before the court and file an application to recall Non Bailable Warrant and he opposed for grant of anticipatory bail.



4. 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/-

01/03/2023

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/03/2023

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

CM

TO

- 1 THE INSPECTOR OF POLICE,
VALIYOOR POLICE STATION,
TIRUNELVELI DISTRICT.
- 2 THE JUDICIAL MAGISTRATE,
VALLIYOOR.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.VIJAYAKUMAR S Advocate SR.No.3138

ORDER
IN
CRL OP(MD) No.3693 of 2023
Date :01/03/2023

SI/ /SAR-1/(08.03.2023) 2P/5C