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CRL OP(MD).



23

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

Date : 16/03/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.4975 of 2023

Abbas @ Jameen Abbas ... Petitioner/Accused No.3

Vs

The State rep.by,
The Inspector of Police,
All Women Police Station,
Thiruvadanai,
Ramanthapuram District..
Crime No.10/2016

... Respondent/Complainant

For Petitioner : S.Sathyachidambaram,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.10/2016 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner apprehends arrest at the hands of the respondent police in Spl.S.C.No.6 of 2018 for the offences punishable under Sections 366 of IPC r/w.Sections 5(1)(m)r/w.6,8 and 12 of POCSO Act in Crime No.10 of 2016, seeks anticipatory bail.

2.The petitioner was absent during the trial in Spl.S.C.No.6 of 2018 on the file of the learned Principal and Sessions Judge, Fast Track Mahila Court, Ramanathapuram. Therefore, Non-Bailable Warrant came to be issued.

3.The learned counsel appearing for the petitioner undertakes that the petitioner shall appear before the Court below regularly on hearing dates without fail.

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4. Considering the undertaking given by the learned counsel for the petitioner, the petitioner is directed to appear before the learned Principal and Sessions Judge, Fast Track Mahila Court, Ramanathapuram on the next hearing and to file a petition under Section 70(2) of Cr.P.C., to recall NBW already issued against him. On the filing of such petition, the concerned learned Sessions Judge is directed to consider the same on its own merits and in accordance with law and pass orders on the same day.

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

6. It is made clear that while considering the petition to recall, the Court below shall bear in mind about the period of Non-Bailable Warrant and any crime committed while pending Non-Bailable Warrant. Mere direction issued by this Court to consider the application on the same day does not amount to direction to consider the recall petition favourably.

sd/-
16/03/2023

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/03/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1. THE PRINCIPAL AND SESSIONS JUDGE,
FAST TRACK MAHILA COURT, RAMANATHAPURAM.

2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUVADANAI,
RAMANTHAPURAM DISTRICT.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.SATHYA CHIDAMBARAM S, Advocate (SR-4459[I] dated 17/03/2023)

ORDER
IN
CRL OP(MD) No.4975 of 2023
Date :16/03/2023

RK/CG/SAR-1(23/03/2023) 2P/5C

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