



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

Date : 14/03/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN
CRL OP(MD) . No.4787 of 2023

WEB COPY

1. Anwar @ Anwar Hussain

2. Nishar @ Mohamed Nishar ... Petitioners/
Accused (Rank Not Known)

Vs

The State Rep.by
The Inspector of Police,
Mimisal Police Station,
Pudukottai District.
Cr.No.109/2005.

... Respondent/Complainant

For Petitioners : M/s.T.Leninkumar,
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. 109/2005 on the file of the
Respondent police.

ORDER : The Court made the following order :-

The petitioners/ accused who apprehends arrest at the hands of
the respondent police in P.R.C.No.12 of 2009 on the file of the
learned Judicial Magistrate,Aranthangi for the offences punishable
under Sections 147, 148, 457,307 of IPC @ 147,148,427 of IPC in
Crime No.109 of 2005, seek anticipatory bail.

2.The petitioners were absent during the committal in
P.R.C.No.12 of 2009 on the file of the learned Judicial
Magistrate,Aranthangi. Therefore, Non-Bailable Warrant came to be
issued.

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

4.Considering the undertaking given by the learned counsel for
the petitioners, the petitioners are directed to appear before the
learned Judicial Magistrate,Aranthangi District on the next hearing



and to file a petition under Section 70(2) of Cr.P.C., to recall the writ already issued against him. On the filing of such petition, the concerned learned Magistrate 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/-

14/03/2023

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/03/2023

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

AAV

TO

1. THE JUDICIAL MAGISTRATE, ARANTHANGI.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI.

3. THE INSPECTOR OF POLICE,
MIMISAL POLICE STATION,
PUDUKOTTAI DISTRICT.

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

+1 CC to M/s. T. LENINKUMAR, Advocate (SR-4239[I] dated 15/03/2023)

ORDER

IN

CRL OP(MD) No. 4787 of 2023

Date : 14/03/2023

RD/MMS/SAR-IV (16/03/2023) 2P 6C

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