



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.4733 of 2023

WEB COPY

Kaleeshwaran

... Petitioner/Accused No.4

Vs

The Inspector of Police,
Avaniyapuram Poice Station,
Madurai City.

In Crime No.1009 of 2014..

... Respondent/Complainant

For Petitioner : M/s.Mayilvahana Rajendran C,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
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 S.C.No.174 of 2017 on the file of the V Additional District and Sessions Court,Madurai

ORDER : The Court made the following order :-

The petitioner apprehends arrest at the hands of the respondent police in S.C.No.174 of 2017 on the file of the V Additional District and Sessions Court,Madurai for the offences punishable under Sections 147, 148, 324 and 302 of IPC r/w.149 of IPC in Crime No.1009 of 2014(S.C.No.174 of 2017 on the file of the learned V Additional District and Sessions Judge, Madurai), seeks anticipatory bail.

2.The petitioner was absent during the trial in S.C.No.174 of 2017 on the file of the learned V Additional District and Sessions Judge, Madurai. 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 all future hearing dates without fail.

4.Considering the undertaking given by the learned counsel for the petitioner, the petitioner is directed to appear before the learned V Additional District and Sessions Judge, Madurai 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/-
14/03/2023

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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 LEARNED V ADDITIONAL DISTRICT AND SESSIONS JUDGE, MADURAI.

2. THE INSPECTOR OF POLICE,
AVANIYAPURAM POICE STATION,
MADURAI CITY.

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

+1 CC to M/s. MAYILVAHANA RAJENDRAN C, Advocate (SR-4139[I] dated
14/03/2023)

ORDER
IN
CRL OP(MD) No.4733 of 2023
Date :14/03/2023

RK/MMS/SAR-2 (16/03/2023) 2P/5C