



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.4990 of 2023

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... Petitioner/sole Accused

Vs

The State rep.by,
The Inspector of Police,
All Women Police Station, Thiruppathur
Sivagangai District.
Cr. No. 3/2015.

... Respondent/Complainant

For Petitioner : Mr.B.Santhanam Rajeshkumar,
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.3 of 2015 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 S.C.No.1 of 2017 on the file of the Fast Track Mahila Court, Sivagangai for the offences punishable under Sections 376,511 of IPC in Crime No.3 of 2015, seeks anticipatory bail.

2.The petitioner was absent during the trial in S.C.No.1 of 2017 on the file of the Fast Track Mahila Court, Sivagangai. 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 S.C.No.1 of 2017 on the file of the Fast Track Mahila Court, Sivagangai 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 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.

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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 JUDGE, FAST TRACK MAHILA COURT,
SIVAGANGAI, SIVAGANGAI DISTRICT.
2. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, THIRUPPATHUR
SIVAGANGAI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.B.SANTHANAM RAJESHKUMAR, Advocate (SR-4452[I] dated 17/03/2023)

ORDER

IN

CRL OP(MD) No.4990 of 2023

Date :16/03/2023

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