



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/03/2023

WEB COPY

PRESENT

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

CRL OP(MD) . No.5108 of 2023

Manimaran,

... Petitioner/Accused No.4

Vs

State Rep.by
The Inspector of Police,
Vattathikottai Police Station,
Thanjavur.
in Crime No.52/2011.

... Respondent/Complainant

For Petitioner : Mr. N.Jothivel, Advocate.

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

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

PRAYER :-

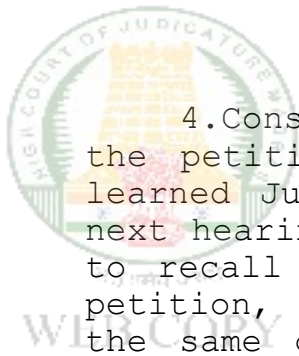
To enlarge the petitioner on Anticipatory bail in the event of his arrest the petitioner on Anticipatory Cr.No.52/2011 on the strength of the Non Bailable Warrant issued by Learned Judicial Magistrate, Pattukottai, Thanjavur District in CC No.149/19

ORDER : The Court made the following order :-

The petitioner/ accused who apprehends arrest at the hands of the respondent police in C.C. No.149 of 2019 on the file of the learned Judicial Magistrate, Pattukottai, Thanjavur District for the offences punishable under Sections 147, 148, 352,336,324,326, 506 (ii) IPC in Crime No.52 of 2011, seeks anticipatory bail.

2.The petitioner was absent during the trial in C.C. No.149 of 2019 on the file of the learned Judicial Magistrate, Pattukottai, Thanjavur District. 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.



4.Considering the undertaking given by the learned counsel for the petitioner, the petitioner is directed to appear before the learned Judicial Magistrate, Pattukottai, Thanjavur District 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 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/-
17/03/2023

/ TRUE COPY /

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

AAV

TO

- 1 THE JUDICIAL MAGISTRATE,
PATTUKOTTAI, THANJAVUR DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
VATTATHIKOTTAI POLICE STATION,
THANJAVUR.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.N.JOTHIVEL, Advocate (SR-4582[I] dated 20/03/2023)

ORDER

IN

CRL OP(MD) No.5108 of 2023

Date :17/03/2023

PKP/CG/SAR-3/27.03.2023/ **2P/6C**

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