



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 28/03/2023

PRESENT

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

WEB COPY

CRL OP(MD). No.5690 of 2023

N.Neruppu Dinesh @ Dinesh Babu

... Petitioner/Accused 2

Vs

The State rep.by
The Inspector of Police,
Thirukokarnam Police Station,
Pudukkottai District.
(Crime No.255/2022).

... Respondent/Complainant

For Petitioner : Mr.G.Mathavan, Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :- For Anticipatory Bail in Cr No.255/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A2 apprehends arrest at the hands of the respondent police in Crime No.255 of 2022 on the file of the Thirukokarnam Police Station, Pudukkottai District for the offences punishable under Sections 7 and 25(1A) of Arms Act in Crime No.255 of 2022, seeks anticipatory bail.

2.The petitioner was granted bail by the learned Principal District and Sessions Judge, Pudukkottai in CrI.M.P. No.3074 of 2022 with a condition to stay at Vellore and report before the learned Judicial Magistrate, Vellore daily at 10.30 am., and 5.00 pm., until further orders. Since he was unable to comply with the condition, Non-Bailable Warrant came to be issued as against the petitioner by the learned Judicial Magistrate No.II, Vellore.

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 **(*)Judicial Magistrate No.II, Pudukkottai** and 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/-
28/03/2023

**(*) For Being Mentioned as per Order of
this Hon'ble Court dated 06/04/2023 in
Crl.OP(MD) .5690/2023**

/ TRUE COPY /

/04/2023

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

AAV

TO

TO BE SUBSTITUED WITH THE ORDER DATED 28/03/2023 ALREADY DESPATCHED

1 THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, PUDUKOTTAI.

2 THE JUDICIAL MAGISTRATE NO.II, VELLORE.

3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, VELLORE DISTRICT.

4 THE JUDICIAL MAGISTRATE NO.II, PUDUKKOTTAI

5 DO THROUGH: THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.

6 THE INSPECTOR OF POLICE,
THIRUKOKARNAM POLICE STATION,
PUDUKKOTTAI DISTRICT.

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

+1. CC to G.MATHAVAN Advocate SR.No.4989(I)

ORDER

IN

CRL OP(MD) No.5690 of 2023

Date :28/03/2023

SA/CG/SAR.4/31.03.2023/2P/7C

AAV

PKP/SSS/SAR-3/12.04.2023/ **2P/9C**

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