



WEB COPY

CRL OP(MD)



23

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

Date : 27.03.2023

PRESENT

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

CRL OP(MD)No.5642 of 2023

Dhanaraj ... Petitioner / Accused / Accused
Vs

State Rep.by
The Inspector of Police,
Cumbum South Police Station,
Theni District.
(Crime No.184 of 2013) ... Respondent / Complainant / Complainant

For Petitioner : Mr.K.K.Samy, Advocate.

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

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

PRAYER :-For Anticipatory Bail in Crime No.184 of 2013 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.91 of 2014 on the file of the Mahila Court(Sessions Level), Theni, for the offences punishable under Section 306 in Crime No.184 of 2013, seeks anticipatory bail.

2.The petitioner was absent during the trial in S.C.No.91 of 2014 on the file of the Mahila Court(Sessions Level), Theni. 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 Mahila Court(Sessions Level), Theni on the next hearing and to file

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a petition under Section 70(2) of Cr.P.C., to recall NBW ly 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. 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/-

27/03/2023

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/04/2023

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

TO

- 1 THE MAHILA JUDGE,
(SESSIONS LEVEL), THENI.
- 2 THE INSPECTOR OF POLICE
CUMBUM SOUTH POLICE STATION,
THENI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.5642 of 2023

Date :27/03/2023

gns

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