



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

Date : 28/03/2023

PRESENT

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

CRL OP(MD) . No.5722 of 2023

Prakash Raj

... Petitioner / Accused No.1

Vs

The Inspector of Police,,
Mandapam Police Station, Mandapam,
Ramanathapuram District.
(Crime No.182 of 2021).

... Respondent / Complainant

For Petitioner : Mr.M.Jerin Mathew, 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 Cr No.182/2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/accused who apprehends arrest at the hands of the respondent police in S.C. No.185 of 2021 on the file of the Principal Sessions Court, Ramanathapuram for the offences punishable under Sections 392,397 of IPC in Crime No.182 of 2021 seeks anticipatory bail.

2.The petitioner was absent during the trial in S.C. No.185 of 2021 on the file of the Principal Sessions Court, Ramanathapuram. 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 Principal Sessions Court, Ramanathapuram on the next hearing and to



file a petition under Section 70(2) of Cr.P.C., to recall the 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/-
28/03/2023

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/04/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV

To

1. The Principal Sessions Judge,
Ramanathapuram.

2. The Inspector of Police,
Mandapam Police Station,
Mandapam, Ramanathapuram District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.5722 of 2023
Date : 28/03/2023

ED/MMS/SAR-1 (31/03/2023) 2P 4C