



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/04/2023

WEB COPY

PRESENT

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

CRL OP(MD) . No.6282 of 2023

1. Vinothini,

2. Keerthi Deviamani,

... Petitioners/Accused Nos. 2 & 3

Vs

State Rep.by
The Inspector of Police,
Samayanallur Police Station,
Madurai District.
Cr.No.79/2021.

... Respondent/Complainant

For Petitioners : M/s. M.Sridharan, Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 79/2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/A2 and A3 who apprehends arrest at the hands of the respondent police in C.C. No.233 of 2022 on the file of the learned Judicial Magistrate, Vadipatti, Madurai District for the offences punishable under Sections 294(b), 323, 506(ii), 379 of IPC and section 4 of TNPHW Act in Crime No.79 of 2021, seek anticipatory bail.

2.The petitioners were absent during the trial in C.C. No.233 of 2022 on the file of the learned Judicial Magistrate, Vadipatti, Madurai District. Therefore, Non-Bailable Warrant came to be issued.

3.The learned counsel appearing for the petitioners undertakes that the petitioner shall appear before the Court below regularly on the fixed hearing dates without fail.



4. Considering the undertaking given by the learned counsel for the petitioners, the petitioners are directed to appear before the learned Judicial Magistrate, Vadipatti, Madurai District on the next hearing and to file a petition under Section 70(2) of Cr.P.C., to recall NBW already issued against them. On the filing of such petition, the 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/-
05/04/2023

/ TRUE COPY /

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

AAV
TO

- 1 THE JUDICIAL MAGISTRATE,
VADIPATTI, MADURAI DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
SAMAYANALLUR POLICE STATION,
MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.SRIDHARAN, Advocate (SR-5457[I] dated 05/04/2023)

ORDER
IN
CRL OP(MD) No.6282 of 2023
Date :05/04/2023

PKP/BUC/SAR-3/11.04.2023/ **2P/6C**

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