



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

Date : 19/04/2023

PRESENT

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

CRL OP(MD) . No.6826 of 2023

Karupayi ... Petitioner / Accused No.4

Vs.,

State rep., by
The Inspector of Police,
NIB-CID Police Station,
Dindigul District.
(crime No.140 of 2004).

... Respondent / Complainant

For Petitioner : Mr.R.Alagumani, Advocate

For Respondent : Mr.T.Senthilkumar
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.140 of 2004 on the file of the Respondent police.

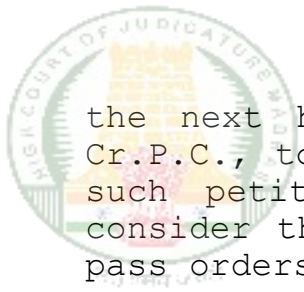
ORDER : The Court made the following order :-

The petitioner/A4 apprehends arrest at the hands of the respondent police in C.C.No.54 of 2005 on the file of the learned District and Sessions Court for EC and NDPS Act Cases, Madurai, for the offences punishable under Sections 8(c) r/w 20(b) 2 (B) of NDPS Act, in Crime No.140 of 2004, seeks anticipatory bail.

2.The petitioner was absent during the trial in C.C.No.54 of 2005 on the file of the District and Sessions Court for EC and NDPS Act Cases, Madurai. 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 District and Sessions Court for EC and NDPS Act Cases, Madurai, on



the next hearing and to file a petition under Section 167 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. 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/-
19/04/2023

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

RMK

To

1. The Judge,
District and Sessions Court for EC and NDPS Act Cases,
Madurai.

2. The Inspector of Police,
NIB, CID Police Station,
Dindigul District.

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

+1 CC to M/s. ALAGUMANI. R, Advocate (SR-6248[I] dated 20/04/2023)

ORDER
IN
CRL OP(MD) No.6826 of 2023
Date : 19/04/2023

ED/CG/SAR-3 (27/04/2023) 2P 5C