



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 21/04/2023
PRESENT

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

CRL OP(MD) . No.7476 of 2023

Vinu,

... Petitioner/Accused

Vs

The State rep.by
The Inspector of Police,
Puthukadai Police Station,
Kanyakumari District.
In Crime No.219/2010.

... Respondent/Complainant

For Petitioner : MR.S.SIVAKUMAR,
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 Crime No.219 of 2010 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.220 of 2015 on the file of the learned Additional District Judge, Kuzhithurai for the offences punishable under Sections 341,294(b),324,307,302 and 34 of IPC in Crime No.219 of 2010, seeks anticipatory bail.

2.The petitioner was absent during the trial in S.C.No.220 of 2015 on the file of the learned Additional District Judge, Kuzhithurai. 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 learned Additional District Judge, Kuzhithurai on the next hearing and to 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 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/-

21/04/2023

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/04/2023

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

AAV

TO

1 THE ADDITIONAL DISTRICT JUDGE, KUZHITHURAI.

2 THE INSPECTOR OF POLICE,
PUTHUKADAI POLICE STATION,
KANYAKUMARI DISTRICT.

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

COPY TO:

1 THE REGISTRAR (JUDICIAL),
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

2 THE SECTION OFFICER,
CRIMINAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.SIVAKUMAR Advocate SR.No.6375

ORDER

IN

CRL OP(MD) No.7476 of 2023

Date :21/04/2023

SA/SSS/SAR.1/27.04.2023/2P/7C