



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Date : 27/04/2023  
PRESENT

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

CRL OP(MD) . No.8034 of 2023

Hemantkumar

... Petitioner/sole accused

**Vs.,**

State rep., by  
The Inspector of Police,  
DCB Police Station,  
Pudukkottai District.  
(crime No.01 of 2023).

... Respondent/Complainant

For Petitioner : Mr.K.C.MANIYARASU, 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.01 of 2023 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, for the offences punishable under Sections 417 and 420 of IPC in Crime No.1 of 2023, seeks anticipatory bail.

2.Since the petitioner has not complied with the condition imposed by the learned Principal District and Sessions Judge, Pudukkottai, while he was granted interim bail, the learned District Judge directed the Judicial Magistrate No.II, to issue NBW against the petitioner by his order dated 12.04.2023. Accordingly, Non-Bailable Warrant came to be issued.

3.The learned counsel for the petitioner submitted that the petitioner shall deposit the imposed fine amount.

4.Considering the undertaking given by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of Rs.27,00,000/- to the credit of Crime No.1 of 2023 before the learned Principal District and Sessions Judge, Pudukkottai 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 learned Magistrate is directed to consider the said application 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/-

27/04/2023

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/05/2023

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

RMK

**TO**

1 THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, PUDUKKOTTAI.

2 THE INSPECTOR OF POLICE,  
DCB POLICE STATION,  
PUDUKKOTTAI DISTRICT.

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

**COPY TO:**

1 THE JUDICIAL MAGISTRATE NO.II,  
PUDUKKOTTAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
PUDUKKOTTAI.

**ORDER**

**IN**

CRL OP(MD) No.8034 of 2023

Date : 27/04/2023

SA/25.05.2023/2P/6C