



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 28/04/2023

WEB COPY

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

CRL OP(MD) . No.8232 of 2023

1. Thirumalai
2. Hariharan @ Anandan
3. Saravanan
4. Logu @ Loganathan

... Petitioners/AccusedNos.2 to 5

Vs

State rep. by
The Inspector of Police,
Edayakkottai Police Station,
Dindigul District.
Crime No.131/2016.

... Respondent/Complainant

For Petitioner : M/s.Gokul Raj.S,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-

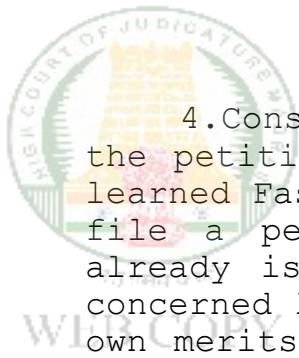
To enlarge the petitioners on anticipatory bail in the event of their arrest in execution of NBW warrant in **(*)S.C.No.119 of 2019** on the file of the Fast Track Mahila Judge, Dindigul in Crime No.131 of 2016 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/A2 to A5, apprehend arrest at the hands of the respondent police in S.C.No.19 of 2019 on the file of the Fast Track Mahila Judge, Dindigul for the offences punishable under Sections 147, 323, 341, 341 and 366 of IPC in Crime No.131 of 2016, seek anticipatory bail.

2.The petitioners were absent during the trial in **(*)S.C.No.119 of 2019** on the file of the Fast Track Mahila Judge, Dindigul. Therefore, Non-Bailable Warrant came to be issued on 28.04.2023.

3.The learned counsel appearing for the petitioners undertake that the petitioners 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 petitioners, the petitioners are directed to appear before the learned Fast Track Mahila Judge, Dindigul 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 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/-
28/04/2023

**(*)Amended as per order of the court dated
19/06/2023 in CRL MP(MD)No. 8600 OF 2023 BY GKIJ**

**Further one week time is granted to the petitioner
to comply with the conditions imposed by this
Court from the date of receipt of a copy of this
order as last chance**

/ TRUE COPY /

/06/2023

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

SJI
TO

TO BE SUBSTITUTED WITH THE ORDER DATED 28/04/2023 ALREADY DESPATCHED

1. The Fast Track Mahila Judge, Dindigul.
2. The Inspector of Police,
Edayakkottai Police Station, Dindigul District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.GOKUL RAJ.S, Advocate (SR-9063[I] dated 19/06/2023)
ORDER
IN
CRL OP(MD) No.8232 of 2023
Date : 28/04/2023

NA/VS/SAR-3/09.05.2023/2P/5C

MRN

PKP/BUC/SAR- /27.06.2023/ 2P/5C

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