



WEB COPY

CRL OP(MD)N



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15.06.2023

PRESENT

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

CRL OP(MD)No.10381 of 2023

JAYALAKSHMI,

... PETITIONER/ ACCUSED NO.1

VS

STATE REP BY ITS
THE INSPECTOR OF POLICE,
CUMBUM NORTH POLICE STATION,
THENI DISTRICT.
(CRIME NO.434 OF 2016)

... RESPONDENT/ COMPLAINANT

For Petitioner : Mr.K.Prabakaran, Advocate

For Respondent : Mr.T.Senthil Kumar,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.434 of 2016 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 C.C.No.207 of 2018 on the file of the learned II Additional Special Sessions Judge for Trial of NDPS Act Cases, Madurai, for the offences punishable under Section 8(c) r/w 20(b) (ii)(B) of NDPS Act, seeks anticipatory bail.

2.The petitioner was absent during the trial in C.C.No.207 of 2018 on the file of the learned II Additional Special Sessions Judge for Trial of NDPS Act Cases, Madurai. Therefore, Non-Bailable Warrant came to be issued.



3.The learned counsel appearing for the petitioner u/s 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 II Additional Special Sessions Judge for Trial of NDPS Act Cases, Madurai on the next hearing and to file a petition under Section 70(2) of Cr.P.C., to recall NBW already issued against her. 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/-

15/06/2023

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/06 /2023

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

TO

- 1.The II Additional Special Sessions Judge
for Trial of NDPS Act Cases,
Madurai.
- 2.The Inspector of Police,
Cumbum North Police Station,
Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER

IN

CRL OP(MD) No.10381 of 2023

Date :15/06/2023

SI/SBN/ (26.06.2023) 2P/ 4C

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