



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

Date : 14/06/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN
CRL OP(MD). No.10475 of 2023

WEB COPY

1. Amjathkhan Ghorl

2. Asmathkhan Ghorl ... Petitioners/Accused No.2 & 3

Vs

The State Rep.by
The Deputy Superintendent of Police,
Economci Offences Wing II,
Madurai. ... Respondent/Complainant

For Petitioner : Mr.R.Mohanasundaram,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

To enlarge the petitioner on bail in the event of his arrest in C.C.No.05 of 2019 on the file of the learned II Additional District Judge (CBI Case), Madurai in Crime No.4 of 2011 on the file of the respondent police.

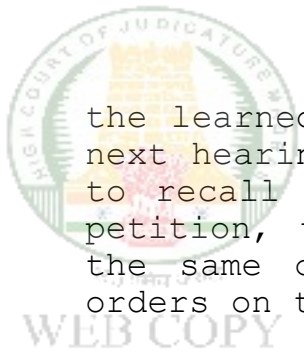
ORDER : The Court made the following order :-

The petitioners/A2 and A3, who apprehend arrest at the hands of the respondent police in C.C.No.05 of 2019 on the file of the learned II Additional District Judge (CBI Case), Madurai for the offences punishable under Sections 406, 420 and 506(ii) of IPC and Section 5 of Tamil Nadu Protection of Interest and Depositors Act (Financial Establishment) Act, 1997 in Crime No.4 of 2011, seek anticipatory bail.

2.The petitioners were absent during the trial in C.C.No.05 of 2019 on the file of the learned II Additional District Judge (CBI Case), Madurai. Therefore, Non-Bailable Warrant came to be issued on 29.11.2019.

3.The learned counsel appearing for the petitioners undertakes 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 is directed to appear before



the learned II Additional District Judge (CBI Case), Madurai. He is directed to appear for 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/-

14/06/2023

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/ 07 /2023

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

SJI

TO

1. The II Additional District Judge (CBI Case),
Madurai.
 2. Do-Through The Chief Judicial Magistrate,
Madurai District.
 3. The Deputy Superintendent of Police,
Economci Offences Wing II,
Madurai.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1. CC to M/S.C.K.M.APPAJI, Advocate SR.No.8746(I)

ORDER

IN

CRL OP(MD) No.10475 of 2023

Date :14/06/2023

RD/SKN (03/07/2023) 2P 6C