



WEB COPY

CRL OP(MD).A



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

Date : 26/06/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN
CRL OP(MD). No.11356 of 2023

Velmurugan ... Petitioner/Accused No.14

Vs

The State Rep.by
The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.
(Crime No.432 of 2020)

... Respondent/Complainant

For Petitioner : Mr.J.Vijayaraja,
Advocate.

For Respondent : Mr.T.Senthilkumar,
Additional Public Prosecutor

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

PRAYER :-

To enlarge the petitioner/accused on bail in C.C.No.86 of 2021 on the file of the learned Additional District and Sessions Judge, Special Court for EC and NDPS Cases, Pudukottai in Crime No.432 of 2020 on the file of the respondent police.

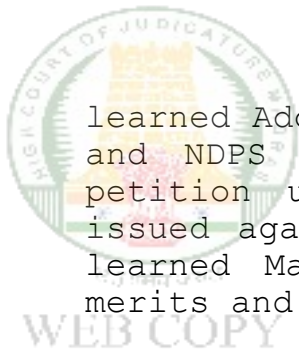
ORDER : The Court made the following order :-

The petitioner apprehends arrest at the hands of the respondent police in C.C.No.86 of 2021 on the file of the learned Additional District and Sessions Judge, Special Court for EC and NDPS Cases, Pudukottai for the offences punishable under Sections 147, 148, 506 (ii), 120(B), 399 and 402 IPC r/w 8(c), 20(b)(ii)(c) and 25 of NDPS Act, 1985 and Sections 20 and 30 of the Arms Act in Crime No.432 of 2020, seeks anticipatory bail.

2.The petitioner was absent during the trial in C.C.No.86 of 2021 on the file of the learned Additional District and Sessions Judge, Special Court for EC and NDPS Cases, Pudukottai. 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 and Sessions Judge, Special Court for EC and NDPS Cases, Pudukottai 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 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/-

26/06/2023

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/ 07 /2023

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

SJI

TO

1. The Additional District and Sessions Judge,
Special Court for EC and NDPS Cases, Pudukottai.
2. The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.11356 of 2023

Date : 26/06/2023

RD (04/07/2023) 2P 4C