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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.17166 of 2023

M.Latha Devi

... Petitioner / Accused No.2

Vs

The State represented by
The Inspector of Police,
Anna Nagar Police Station,
Madurai.
(In Crime No.76/2001)

... Respondent/Complainant

For Petitioner : M/s.K.S.Duraipandian
Advocate.

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.76 of 2001 on the file of the Respondent police.



ORDER : The Court made the following order :-

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The petitioner/ Accused apprehends arrest at the hands of the respondent police for the offences under Sections 450, 307, 506(ii), 392 r/w 397 and 114 of IPC in Crime No.76 of 2001, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is facing charges for the above said offences. A case in S.C.No.352 of 2015 is pending before the learned Principal Sub Court, Madurai and witnesses have been examined. The petitioner was arrested and released on bail. On 15.09.2021, the petitioner did not appear before the concerned Court and hence a nonailable warrant was issued against the petitioner.

3. The learned counsel for the petitioner would submit that due to Covid-19 Pandemic, the petitioner has shifted her residence to Thoothukudi and now residing there and taking treatment for her kidney ailment. Therefore, she was not appeared before the learned Principal Sub Court, Madurai.

4. Learned Government Advocate (Crl.side) would submit that the petitioner was granted bail in the year 2001 itself. Later she failed to appear before the trial Court and hence, warrant has been issued.

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5. Considering the facts and circumstances of this case and since the petitioner has already been granted bail, there is no question of granting anticipatory bail. He has to surrender before the concerned Court by filing petition to recall the warrant, setting out all the facts.

6. With this liberty, this Criminal Original Petition is dismissed.

sd/-
25/09/2023

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/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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To

1.The Inspector of Police,
Anna Nagar Police Station, Madurai.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.17166 of 2023
Date :25/09/2023

SSA/VRS/14.10.2023/3P/3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023