



CRL OP(MD). No.22429 of 2023

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

Date : 13/12/2023

PRESENT

The Hon'ble Mr.Justice V.SIVAGNANAM

CRL OP(MD). No.22429 of 2023

Devi

... Petitioner/ A3

Vs

The Inspector of Police,
Thirupachethy Police Station,
Sivagangai District.
Crime No. 212 of 2013.

... Respondent/Complainant

For Petitioner : M/s Haroon Rasheed.D.S,
Advocate.

For Respondent : Mr.Rms.Sethuraman,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No. 212 of 2013 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/ A3 who apprehends arrest at the hands of the respondent police for the offences punishable under sections 323, 324 and 506(ii) of I.P.C, in Crime No.212 of 2013 on the file of the respondent police, seeks anticipatory bail.



CRL OP(MD). No.22429 of 2023

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2. When the matter is taken up for hearing today, the learned Additional Public Prosecutor submitted that the petitioner is the accused in C.C.No.942 of 2019 on the file of the District Munsif-cum-Judicial Magistrate, Thiruppuvanam. In this case, the petitioner was already on bail and for non appearance before the trial Court, NBW has been issued on 16.12.2022 and now, NBW is pending for execution and hence, the petition filed for anticipatory bail is not maintainable. Therefore, the learned Additional Public Prosecutor prays for dismissal of this petition.

3. The learned counsel appearing for the petitioner conceded that NBW has been issued for non appearance of the petitioner in C.C.No.942 of 2019 and the same is pending.

4. In view of the above, it is noticed that for non-appearance of the petitioner, NBW has been issued against him and the same is pending before the trial Court. In such circumstances, anticipatory bail cannot be granted. Hence, the Criminal Original Petition is dismissed.

sd/-
13/12/2023

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/12/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

- 1 THE INSPECTOR OF POLICE
THIRUPACHETHY POLICE STATION, SIVAGANGAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.22429 of 2023
Date :13/12/2023

SS/DD/SAR- /21/12/2023/3P/3C

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