



CRL OP(MD) No.1856 of 2024

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

Wednesday, the Seventh day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1856 of 2024

RENGANATHAN ALIAS MURALI

... Petitioner / Accused No.18

Vs

THE INSPECTOR OF POLICE
KEELAVALAVU POLICE STATION,
MELUR TALUK,
MADURAI DISTRICT.
(CRIME NO. 158 OF 2012)

... Respondent / Complainant

For Petitioner : M/s.M.Balakrishnan, Advocate

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl. Side)

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

PRAYER :

FOR ANTICIPATORY BAIL IN CRIME NO. 158 OF 2012 ON THE
FILE OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner / Accused No.18, who apprehends arrest at the hands of the
respondent Police for the alleged offence punishable under Sections 447, 379 of IPC



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r/w. 3(1) of TNPPDL Act, altered into Sections 447, 379, 420, 430, 434, 465, 467, 468, 471, 304(ii) r/w. 511, 109 and 114 of IPC, and Sections 3(i)(ii) and 4 of the TNPPDL Act, 1992 and Sections 6, 3(a) and 4(a) of Explosive Substances Act, 1908 r/w. 120(b) of IPC in Crime No.71 of 2012 in P.R.C.No.3 of 2020 pending on the file of the learned Judicial Magistrate, Melur, seeks anticipatory bail.

2. The petitioner was absent during the trial in P.R.C.No.3 of 2020, on the file of the learned Judicial Magistrate, Melur. Therefore, Non-Bailable Warrant came to be issued.

3. The learned counsel appearing for the petitioner would submit that since the petitioner suffered ill health, he could not appear before the lower Court and hence NBW was issued against him. However, his non appearance is neither wilful nor wanton.

4. The learned Government Advocate (Crl.Side) would submit that since the petitioner did not appear before the concerned trial Court, the absconding charge sheet has been filed. Thereafter, non bailable warrant was issued against him.

5. In view of the above position, this Court is of the opinion that the relief available to the petitioner is to surrender before the learned Magistrate concerned and to file a petition under Section 70(2) of Cr.P.C. to recall the Non Bailable Warrant of arrest issued against him. Therefore, the question of granting



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anticipatory bail does not at all arise.

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6. Considering the fact that non bailable warrant is pending against the petitioner, the petitioner is directed to surrender before the learned Judicial Magistrate, Melur, Madurai District, and file a petition under Section 70(2) of Cr.P.C. to recall the non bailable warrant. On filing of such petition, the learned Judicial Magistrate, Melur, Madurai District, is directed to consider the said petition on merits and pass orders on the same day.

7. Accordingly, this Criminal Original Petition is disposed of.

sd/-
07/02/2024

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/02/2024
Sub-Assistant Registrar
(C.S. I / II / III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU

To

1.The Judicial Magistrate,
Melur, Madurai District.

2.Do through the Chief Judicial Magistrate,
Madurai District.



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3.The Inspector of Police,
Keelavalavu Police Station,
Melur Taluk, Madurai District.

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

+1 CC to M/s.M.BALAKRISHNAN, Advocate (SR-1538[I] dated 07/02/2024)

ORDER
IN
CRL OP(MD) No.1856 of 2024
Date :07/02/2024

ED/ JGB /SAR- (16/02/2024) 4P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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