

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2021

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

CrI.O.P.No.2803 of 2021

Habibur Rahman

...Petitioner

Vs.

The State of Tamil Nadu
Rep. by the Inspector of Police,
D2 Police Station,
Anna Salai, Chennai -2
Crime No.645 of 2012

...Respondent

Prayer: Criminal Original Petition filed under Section 438 of Criminal Procedure Code, praying to enlarge the petitioner herein on anticipatory bail in the event of his arrest based on the Non Bailable Warrant issued in the above case in C.C.No.3005 of 2012 on the file of the Hon'ble Judicial Magistrate - II, Egmore, Chennai - 8

For Petitioner : Mr.S.Arunkumar

For Respondent : Mr.S.Karthikeyan,
Addl. Public Prosecutor

O R D E R

The case has been heard through video conference

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 341, 294(b), 324, 506(2) of I.P.C, in Crime No.645 of 2012, seeks anticipatory bail.

2. The learned Additional Public Prosecutor would submit that the non bailable warrant has been issued against the petitioner on 21.01.2020 and the same is pending.

3. Considering the fact that a NBW is pending against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. However, the petitioner is directed to appear before the Judicial Magistrate No.II, Egmore, Chennai-8, within a period of two weeks from the date of receipt of the copy of this order and to file a petition under Section 70(ii) of Cr.P.C., to recall NBW already issued against him. On filing of such petition, the concerned Magistrate, is directed to consider the same on merits and pass orders on the same day.

4. This criminal original petition is disposed of accordingly.

-sd/-

16/02/2021

This order, on being produced, be punctually observed and carried
into execution by all concerned
TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.II, EGMORE, CHENNAI

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI (FOR INFORMATION)

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
D2 POLICE STATION, ANNA SALAI,
CHENNAI-2.

CC to M/S.S.ARUNKUMAR Advocate on payment of necessary charges
SR.1950

CRL OP.2803/2021

Date :16/02/2021

RVR 25/02/2021

WEB COPY