

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.02.2021

CORAM

THE HONOURABLE Mr. JUSTICE V.BHARATHIDASAN

CrI.O.P.No.1635 of 2021

S.Mahendhiran

...Petitioner

Vs.

State Rep. by Inspector,
District Crime Branch,
Namakkal District.
(Crime No.01/2010)

...Respondent

Prayer: Criminal Original Petition filed under Section 438 of Criminal Procedure Code, praying to enlarge the petitioner on bail in the Non-Bailable Warrant issued on 30.12.2020 in C.C.No.247 /2018 on the file of the learned Judicial Magistrate No.1, Namakkal.

For Petitioner : Mr.A.E.Ravichandran

For Respondent : Mr.S.Karthikeyan
Additional 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 execution of Non Bailable Warrant against him for the alleged offences punishable under Sections 468, 420 of IPC r/w 66(1) I.T Act r/w 109 of IPC and the case pending in C.C.No.247 of 2018 on the file of learned Judicial Magistrate No.1, Namakkal, the petitioner has come forward with this petition seeking anticipatory bail.

2. The learned counsel for the petitioner submitted that the petitioner has not been served any notice and hence, he could not attend the court hearing and therefore, the trial court issued Non Bailable Warrant against the petitioner.

3. Learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner did not appear for the hearing of the case in C.C.No.247 of 2018 on the file of learned Judicial Magistrate-I, Namakkal and therefore, Non Bailable Warrant came to be issued against him.

4. Considering the fact that the non-bailable warrant is pending, the petitioner is directed to appear before the Trial Court i.e., the learned Judicial Magistrate-I, Namakkal, on the next date of hearing and file a petition to recall the non-bailable warrant. On filing of such petition, the learned Judicial Magistrate-I, Namakkal, is directed to consider the said petition on the same day and pass orders on merits.

5. This Criminal Original Petition is disposed of accordingly.

-sd/-

11/02/2021

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.I, NAMAKKAL.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
NAMAKKAL DISTRICT.

+2 CC to M/S A.E.RAVICHANDRAN Advocate on payment of necessary charges SR.NO.1505

WEB COPY

CRL OP.1635/2021

Date :11/02/2021

cs 19/02/2021