

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2021

CORAM

THE HONOURABLE Mr. JUSTICE **V.BHARATHIDASAN**

Crl.O.P.No.2036 of 2021

K.Arunkumar @ Arnold

...Petitioner

Vs.

State by Inspector of Police,
Tiruvannamalai Taluk Police Station,
Tiruvannamalai District.
(Crime No.1410 of 2018)

....Respondent

Prayer: Criminal Original Petition filed under Section 438 of Criminal Procedure Code, praying to enlarge the petitioner on bail in the event of arrest or on his appearance before any court in connection with the case in S.C.No.165 of 2019 pending trial on the file of the learned Chief Judicial Magistrate Court, Tiruvannamalai.

For Petitioner : Mr.K.Thirunavukkarasu

For Respondent : Mr.S.Karthikeyan
Additional Public Prosecutor

ORDER

(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 294(b), 324 and 506(ii) of IPC @ 147, 294(b), 324 and 506(ii) IPC and Section 3(1) of TN Public Property (Prevention of Damage & Loss) Act, 1992 and the case pending in S.C.No.165 of 2019 on the file of learned Chief Judicial Magistrate, Tiruvannamalai, the petitioner has come forward with this petition seeking anticipatory bail.

2. The learned counsel for the petitioner submitted that the petitioner has been attend the trial regularly. Since the petitioner was suffering stomach problem, he could not attend the court hearing and hence, the trial court issued Non Bailable Warrant against the petitioner.

3. The learned Additional Public Prosecutor would submit that the petitioner did not appear for the hearing of the case in S.C.No.165 of

2019 on the file of learned Chief Judicial Magistrate, Tiruvannamalai 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 Chief Judicial Magistrate, Tiruvannamalai, on the next date of hearing and file a petition to recall the non-bailable warrant. On filing of such petition, the learned Chief Judicial Magistrate, Tiruvannamalai, 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.

10.02.2021

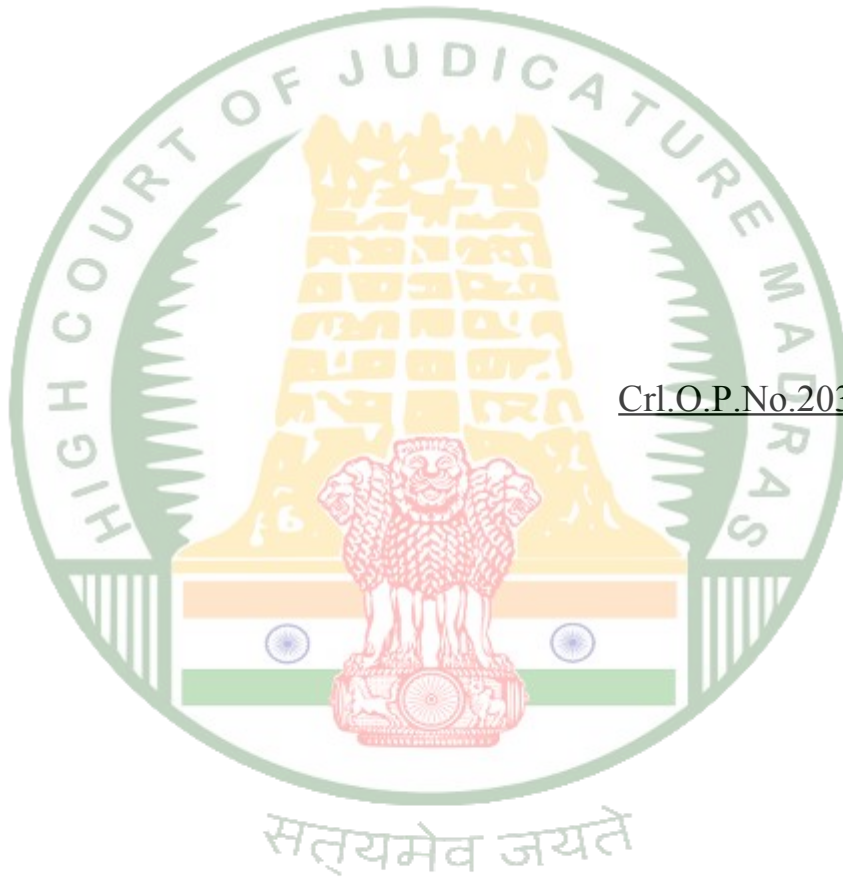
kmi

To

1. The Chief Judicial Magistrate,
Tiruvannamalai.
2. The Inspector of Police,
Tiruvannamalai Taluk Police Station,
Tiruvannamalai District.
3. The Public Prosecutor,
High Court of Madras,
Chennai.

V.BHARATHIDASAN, J

kmi



Crl.O.P.No.2036 of 2021

WEB COPY

10.02.2021