



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2021

CORAM :

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.23190 OF 2021

P.Selvan Kumar

...Petitioner

Versus

Office of the Commissioner of Police,
Trupur District,
Tamil Nadu.

...Respondent

PRAYER : Criminal Original Petition is filed under Section 482 Cr.P.C. to direct the respondent to accept bail from the petitioner under the First Proviso to Section 81 Cr.P.C. in satisfaction of the warrant dated 22nd September 2021, for bailable offence of Negotiable Instruments Act, 1881 in SC NIA/400812/2012 issued by the Civil Court, Bhikangaon District, Mandaleshwar.

For Petitioner : Mr.G.R.Hari

For Respondent : Mr.E.Raj Thilak
Additional Public Prosecutor.

O R D E R

This Criminal Original Petition is filed to direct the respondent to accept bail from the petitioner under the First Proviso to Section 81 Cr.P.C. in satisfaction of the warrant dated 22nd September 2021, for bailable offence of Negotiable Instruments Act, 1881 in SC NIA/400812/2012 issued by the Civil Court, Bhikangaon District, Mandaleshwar.

2.The petitioner has filed a petition seeking direction that this Court to give direction to the respondent viz., The Deputy Superintendent of Police, Thirupur District, to accept bail from the petitioner under the first proviso to Section 81 Cr.P.C.

3.The grievance of the petitioner is that the petitioner is facing trial for offence under Section 138 NI Act before the Judicial Magistrate, First Class, Bhikangaon District, Mandaleshwar, Madhya Pradesh and that case, non-bailable warrant has been issued. On strengthen of the same, the complainant



therein, in collusion with the police officials, attempted to secure the petitioner forcibly and take him to Madhya Pradesh. His apprehension is that the Superintendent of Police, Thirupur District fails to follow Section 81, wherein, if the offence is bailable and the person is ready and willing to give bail to the satisfaction of the concerned Superintendent of Police, Thirupur, the Superintendent of Police shall take such bail or security and forwarded the bond to the concerned Court.

4. In view of the same, the petitioner's apprehension is misgiving, it is the duty of the Executive Magistrate/Commissioner of Police/Superintendent of Police to take bond and forwarded only the bond of the petitioner to the concerned Court.

5. With the above directions, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar (CS-IV)

// True Copy //

Sub Assistant Registrar

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To

1. The Judicial Magistrate - I,
Bhikangoan District,
Mandaleswar,
Madhyapradesh.
2. The Deputy Superintendent of Police,
Tiruppur District.
3. The Commissioner of Police,
Trupur District,
4. The Public Prosecutor,
High Court,
Madras.

CRL.O.P.No.23190 of 2021

MG(CO)
RVM(30/12/2021)