



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Thursday, the Thirty First day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.7497 of 2022

RAMESH

[ PETITIONER / ACCUSED ]

Vs

STATE REP BY  
THE SUB INSPECTOR OF POLICE,  
GOPICHETTIPALAYAM POLICE STATION,  
ERODE DISTRICT.  
(CRIME NO.766 OF 2013)

[ RESPONDENT ]

For Petitioner : M/S.R.SASIKUMAR Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate ( Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Section 392 of IPC, in Crime No.766 of 2013, seeks anticipatory bail.

2. The petitioner seeking anticipatory bail in a case registered under Section 392 of IPC.

3. A reading of the petition indicates that the petitioner is an accused in C.C.No.152 of 2013 on the file of Judicial Magistrate No.1, Gobichettipalayam, had not appeared before the court and therefore, non-bailable warrant has been issued due to his non-appearance. Instead of appearing before the Trial Court and recall the warrant, the petitioner has filed this petition for anticipatory bail under Section 438 of Cr.P.C.,



4. In view of the fact that the petitioner has already been issued Non-Bailable Warrant under Section 70 (2) Cr.P.C., for his non-appearance, it is appropriate for the petitioner to appear before the trial court and seek for recall of the warrant. In the event of arrest, if the petitioner appears before the trial court for recall of arrest, it is for the trial court to consider his antecedents and consider the petition to recall the warrant appropriately. Hence, this Criminal Original Petition is dismissed.

-sd/-

31/03/2022

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, GOBICHETTIPALAYAM, ERODE.

2 THE CHIEF JUDICIAL MAGISTRATE  
ERODE [FOR INFORMATION]

3 THE SUB INSPECTOR OF POLICE,  
GOPICHETTIPALAYAM POLICE STATION,  
ERODE DISTRICT.

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1CC to M/S.R.SASIKUMAR Advocate on payment of necessary  
charges SR.No.4994

CRL OP.7497/2022

Date :31/03/2022

CSK 05/04/2022