



CrI.O.P.(MD) No.13454 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2022

CORAM:

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CrI.O.P.(MD) No.13454 of 2022

Rahul

... Petitioner

Vs

The Inspector of Police,
Vettaikaraniruppu Police Station,
Nagapattinam. Crime No.148 of 2014.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to direct the learned Additional District Judge Special Court under EC Act Cases, Thanjavur to accept the Petitioner's surrender and warrant recall application and consider it on the same day on merits, in CC.No.12 of 2017, on the file of Additional District Judge, Thanjavur.

For Petitioner : M/s. Jinnah S.M.A

For Respondent : Mr.T.Senthil Kumar
Additional Public Prosecutor



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ORDER

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This Criminal Original Petition has been filed to direct the learned Additional District Judge Special Court under EC Act Cases, Thanjavur to accept the Petitioner's surrender and warrant recall application and consider it on the same day on merits, in CC.No.12 of 2017, on the file of Additional District Judge,Thanjavur.

2.The learned Additional Public Prosecutor submitted that the petitioner is having six previous cases of similar in nature. Apart from that, this petitioner has already approached this Court in Crl.OP(MD)15691 of 2019, for consider his surrender in this case before the trial Court, on the same day and it was allowed by this Court on 25.10.2019. After recalling the warrant, due to his non-appearance again warrant was issued and seeking the same relief, he filed this petition. Hence, prays to dismiss the petition.

3. I considered the matter in the light of both side discussions. Perusal of records, it is seen that the petitioner is an accused in CC No.12 of 2017, on the file of Additional District Judge,Thanjavur. No doubt, the petitioner has approached this Court in Crl.OP(MD)15691 of 2019, for



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consider his surrender on the same day and it was allowed by this Court on 25.10.2019. After recalling the warrant, due to non-appearance of the petitioner, warrant has been issued and approached this Court, for the same relief.

4. Under these circumstances, this Court is inclined to allow this petition and the petitioner shall surrender before the concerned trial Court, within a period of fifteen days, from the date of the receipt of a copy of this Order.

5. It is needless to say that the Court below while disposing the bail petition shall look into the gravity of the offence, previous antecedents of the petitioner and pass orders. Mere direction issued by this Court to consider the bail petition on the same day, does not amount to consider it favourably.

6. With the above direction, this Criminal Original Petition stands disposed of.

03.08.2022

Internet: Yes
Index: Yes
PNM

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To

1. The Inspector of Police,
Vettaikaraniruppu Police Station,
Nagapattinam. Crime No.148 of 2014.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.SIVAGNANAM, J.

PNM

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