



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.12.2022

PRESENT

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P (MD) No.21859 of 2022

S.Seeni @ Seenivasan

... Petitioner/Accused No.1

-vs-

The State represented by
The Inspector of Police,
Thirukokarnam Police Station,
Pufukoyysi District.
(in Cr.No.437 of 2010)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to enlarge the petitioner on bail in the event of his arrest in S.C.No.51 of 2016 on the file of learned Chief Judicial Magistrate, Court, Pudukottai.

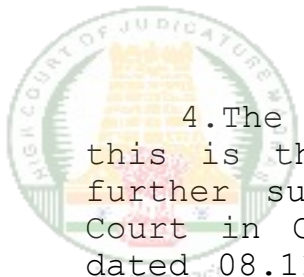
For Petitioner : Mr.G.Mathavan, Advocate
For Respondent : Mr.T.Senthil Kumar
Additional Public Prosecutor

O R D E R

The learned Counsel for the petitioner would submit that the petitioner apprehends arrest pursuant to the Non Bailable warrant issued against the petitioner on 09.02.2022 by the learned Chief Judicial Magistrate, Pudukottai.

2.The learned Counsel for the petitioner would submit that the petitioner is arrayed as A1 in S.C.No.51 of 2016 pending trial on the file of the learned Chief Judicial Magistrate, Pudukottai. The petitioner had been regularly appearing before the Court concerned and that he was unable to appear before the Court concerned on 09.02.2022, thereby, the learned Chief Judicial Magistrate, Pudukottai, had issued Non Bailable Warrant against the petitioner. He would submit that the petitioner was unable to appear before the Court concerned due to his illness and thereby, he would seek for anticipatory bail.

3.The learned Counsel for the petitioner would submit that the matter arose out of a dispute regarding the repayment of Rs.50/- for purchase of Samosa. He would submit that the de-facto complainant, PW-1, is also ready to compromise the matter.



4.The learned Additional Public Prosecutor would submit at this is the second application for anticipatory bail. He would further submit that earlier, the petitioner had approached this Court in Crl.O.P.(MD)No.19731 of 2022, and this Court, by order, dated 08.11.2022, had dismissed the said petition. He would also submit that there is no change of circumstance subsequent to the dismissal of the earlier petition. He would also submit that the only option available to the petitioner is to surrender before the Court concerned and to file an application for recall of warrant. He would also submit that the case is now stand posted for trial on 15.12.2022.

5.Considering the submissions made by the learned Counsel for the petitioner as well as the learned Additional Public Prosecutor, the petitioner is directed to surrender before the Court concerned and file a petition seeking to recall Non Bailable Warrant and the learned Chief Judicial Magistrate, Pudukottai, shall consider and pass appropriate orders on the same day taking into consideration the merits of the case.

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

sd/-
12/12/2022

/ TRUE COPY /

13/12/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.
2. THE INSPECTOR OF POLICE,
THIRUKOKARNAM POLICE STATION,
PUDUKKOTTAI DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.G.MATHAVAN, Advocate (SR-14700[I] dated 12/12/2022)

ORDER
IN
CRL OP(MD) No.21859 of 2022
Date :12/12/2022

cmr
USK/VR/SAR- /13.12.2022/2P/5C

<https://www.mhc.tn.gov.in/judis>