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1

CrI OP No.29292 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2024

CORAM:

**THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH**

CrI.O.P.No.29292 of 2023

S.Manikandan @ Elumalai

...Petitioner / Accused

Vs.

The Inspector of Police,  
Thirumanur Police Station,  
Ariyalur District

...Respondent/complainant

**PRAYER:** Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent and to file the final report in Crime No.5 of 2023 on the file of respondent police.

For Petitioner

: Mr.R.Sivaraman

For Respondent

: Mr.A.Damodaran

Additional Public Prosecutor

**ORDER**

This Criminal Original Petition has been filed for a direction to the Trial Court to re-call the non-bailable warrant dated 12.10.2023 issued as against the petitioner in SC No.31 of 2016 on the file of the Chief Judicial Magistrate at Ariyalur.

2. The learned Additional Public prosecutor submitted



that there are two accused persons in this case and the petitioner has been arrayed as 1<sup>st</sup> accused. Non-bailable warrant was already pending as against 2<sup>nd</sup> accused and till date, 2<sup>nd</sup> accused has not been secured. Insofar as the petitioner is concerned, non-bailable warrant was issued on 12.10.2023. The learned Additional Public Prosecutor submitted that since the accused persons are absconding, there has been absolutely no progress in this case.

3. Taking into consideration the facts and circumstances of the case and the submission made by the learned Additional Public Prosecutor, the petitioner is directed to surrender before the Court below and file an application for recalling the non-bailable warrant. It is left open to the Court below to pass appropriate orders on the same day by imposing necessary conditions.

4. This Criminal Original petition is disposed of with the above directions.

**04.01.2024**

Index : Yes / No  
Internet : Yes / No  
Speaking Order : Yes/No  
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To

1. The Inspector of Police,  
Thirumanur Police Station,  
Ariyalur District
2. The Public Prosecutor,  
High Court of Madras,  
Madras.



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4

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**N.ANAND VENKATESH, J.,**

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