



WEB COPY

Cr.O.P.No.31051 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-12-2024

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 31051 of 2024

KISHORE

Noble Paul Rajiah, No.1113/1, Sivasakthi Nagar,
Thirunavalur, Ulludurpet Taluk, Tirunavalur,
Villupuram District.

Petitioner(s)

Vs

State Rep By, Inspector Of Police,
Kallakurichi Police Station, Villupuram District Crime
No.478 Of 2016

Respondent(s)

For Petitioner(s):

K.Muruganandham
K.Sudhakar

For Respondent(s):

Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 366, 363, 417 and 498 IPC, in S.C.No.18 of 2024, pending on the file of the learned Chief Judicial Magistrate, Kallakurichi, in connection with Crime No.478 of 2016, seeks anticipatory bail.

2. Learned counsel appearing for the petitioner submitted that the



petitioner is facing trial in S.C.No.18 of 2024 on the file of the learned Chief Judicial Magistrate, Kallakurichi, for the offences under Sections 366, 363, 417 and 498 IPC. He further submitted that the petitioner has been regularly appearing before the trial Court on all hearing dates, while so, due to his illness, he was unable to appear before the trial Court on 05.12.2024, thereby, a Non Bailable Warrant was issued by the trial Court, against him. He also submitted that the petitioner is ready to appear before the trial Court and and also he is ready to co-operate for speedy disposal of the trial. Hence, she prays for grant of anticipatory bail to the petitioner.

3. Learned Government Advocate (Crl.side) submitted that since the petitioner, who is an accused facing trial in S.C.No.18 of 2024, pending on the file of the learned Chief Judicial Magistrate, Kallakurichi, has failed to appear before the trial Court on 05.12.2024, the trial Court has issued a Non-Bailable Warrant of arrest against him. He also submitted that due to the absence of the petitioner, the trial Judge is unable to proceed with the trial and now the case stands posted on 02.01.2025 for hearing. He further submitted that the only option available to the petitioner is to surrender before the Court concerned and to file petition seeking to recall the warrant



and therefore the petition for anticipatory bail may not be maintainable.

Hence, the object for grant of anticipatory bail.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondents and perused the materials available on record.

5. Considering the above facts and circumstances of the case and the submissions made on both sides, a direction is issued to the petitioner to surrender before the trial Court and to file an application seeking to recall the warrant and the learned Trial Judge, taking into consideration the merits of the case, shall pass orders on the petition on the same day of his surrender.

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

12.12.2024

Anu

A.D. JAGADISH CHANDIRA. J.,



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Anu

To
Inspector Of Police,
Kallakurichi Police Station, Villupuram District

Crl.O.P.No.31051 of 2024

12.12.2024