



CrI.O.P.(MD)No.13891 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.08.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

CrI.O.P.(MD)No.13891 of 2024

Balu

... Petitioner

Vs.

The Inspector of Police,
Devakottai Taluk Police Station,
Sivagangai District.
Crime No.59 of 2022.

... Respondent

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the Principal District Judge, Sivagangai to accept the surrender of the petitioner and to consider his petition filed under Section 72(2) of BNSS of 2023 for recalling the NBW on the date of his surrender on the same day in S.C.No.127 of 2023 on the file of the learned Principal District Judge, Sivagangai.

For Petitioner : Mr.KR.Bharathi Kannan

For Respondents : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor.



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ORDER

The Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders, to direct the learned Principal District Judge, Sivagangai to accept the surrender of the petitioner and to consider his petition filed under Section 72(2) of BNSS of 2023 for recalling the NBW on the date of his surrender on the same day in S.C.No.127 of 2023 on the file of the learned Principal District Judge, Sivagangai.

2. When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the State would submit that the petitioner is facing trial for the offence under Sections 294(b), 307 and 302 of IPC., and when the case is pending for arguments, NBW came to be issued on 13.08.2024.

3. Since NBW is pending, it is open to the petitioner to surrender before the concerned Court and it is for the concerned Court to decide the same and this Court is not inclined to entertain this petition at this point of time.



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4. In the result, the Criminal Original Petition is dismissed.

27.08.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
das

To

- 1.The Principal District Judge,
Sivagangai.
- 2.The Inspector of Police,
Devakottai Taluk Police Station,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

das

Order made in
CrI.O.P.(MD)No.13891 of 2024

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