



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (APL) NO.02 OF 2025

(KAILASH RAMESHWAR RATHOD...VS..STATE OF MAH. THR. PSO PS TALEGAON, WARDHA & OTH)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Ms Ratna Singh, Advocate for Applicant.
Shri Amit Chutke, A.P.P. for Respondent Nos.1 & 3.

CORAM : ANIL S. KILOR AND
PRAVIN S. PATIL, JJ.

DATED : APRIL 02, 2025.

1. Heard.
2. An offence against the applicant under Section 224 of the Indian Penal Code came to be registered vide First Information Report in question for the reason that the applicant who is the convict surrendered after ten days from the actual date of surrender. He was to surrender on 13/03/2024 but he surrendered on 10/04/2024.
3. The arguments advanced by the learned counsel for the applicant are in relation to the circumstances which prevented him from surrendering on due date. The circumstance, he is trying to point out, is a matter of evidence and it cannot be considered without leading the evidence.

4. In that view of the matter, in absence of any denial to the fact that the applicant surrendered belatedly, *prima-facie*, the offence constitutes.

5. In the circumstances, we are not inclined to entertain the present application. Accordingly, it is **rejected**.

(PRAVIN S.PATIL,J)

(ANIL S.KILOR,J)

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