



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 638 of 2025

Selvakumar
S/o.Murugaiyan, No.190, Kudiyana Street,
Sadaiyangal, Muniyur Valangaiman Taluk Thiruvarur
District.

Petitioner(s)

Vs

The State Rep.By The Inspector Of Police
Harithuvarmangalam Police Station, Thiruvarur
District Crime No.248/2020

Respondent(s)

For Petitioner(s):

G Suresh
V.Chandrapandi
Balavikram

For Respondent(s):

S.Santhosh
Government Advocate (criminal
Side),madras High Court.

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 4(1)(aaa), 4(1)(g) of TN Prohibition Act, in C.C.No.33 of 2024, pending on the file of the learned



District Munsif Cum Judicial Magistrate, Needamangalam, in connection with Crime No.248 of 2020, seeks anticipatory bail.

2. Learned counsel appearing for the petitioner submitted that the petitioner is facing trial in C.C.No.33 of 2024 on the file of the learned District Munsif Cum Judicial Magistrate, Needamangalam, for the offences under Sections 4(1)(aaa), 4(1)(g) of TN Prohibition Act. He further submitted that the petitioner has been regularly appearing before the trial Court on all hearing dates, while so, as he suffered heart attack, he was unable to appear before the trial Court on 29.11.2024, 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 C.C.No.33 of 2024, pending on the file of the learned District Munsif Cum Judicial Magistrate, Needamangalam, has failed to appear before the trial Court on 29.11.2024,



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 06.01.2025 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 ON 06.01.2025 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.



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A.D. JAGADISH CHANDIRA. J.,

Anu

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

27.01.2025

Anu

To
The Inspector Of Police
Harithuvarmangalam Police Station, Thiruvarur
District

Crl.O.P.No.638 of 2025