



Crl.OP.No.3495 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 13.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.3495 of 2025

Mageswaran @ Kanniappan

.. Petitioner

Vs.

The State rep by
The Inspector of Police,
Teynampet Police Station,
Chennai City,
Chennai District.
(Crime No.1 of 2016)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the
event of his arrest on execution of Non Bailable Warrant in S.C.No.55 of
2017 pending on the file of the Hon'ble Mahila Sessions Judge, Allikulam,
Chennai.

For Petitioner : M/s.S.Balasubramanian

For Respondent : Mr.S.Santhosh
Government Advocate(Crl.Side)



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ORDER

The petitioner, who apprehends arrest on execution of Non Bailable Warrant issued on 15.09.2021 in S.C.No.55 of 2017 pending on the file of the Hon'ble Mahila Sessions Judge, Allikulam, Chennai seeks anticipatory bail.

2. Earlier, the anticipatory bail application filed by the petitioner was dismissed as withdrawn on 25.11.2024 in Crl.O.P.No.28347 of 2024 by making following observations:

“2.It is brought to the notice of this Court by the learned Government Advocate (Crl.Side) that non bailable warrant has been pending agaisnt the petitioner from 15.09.2021 and since he did not surrender, steps have been taken by the trial Court, an order of proclamation has been passed and a look out circular is also pending against him.

3.The learned counsel for the petitioner seeks permission of this Court to withdraw this Criminal Original Petition with liberty to challenge the order of proclamation.

4.Recording the submission made by the learned counsel for the petitioner and the endorsement so made, this Criminal Original Petitioner is dismissed as withdrawn, with a liberty to challenge the order of proclamation.”



WEB COPY 3. The learned counsel for the petitioner submitted that no proclamation order has been passed against the petitioner; that protection may be granted to the petitioner and that the petitioner is ready to surrender before the Trial Judge.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police pointed out the status report filed earlier, in which it is stated that a look-out circular was issued and the petitioner was declared as a proclaimed offender.

5. In view of the aforesaid facts, this Court is not inclined to grant anticipatory bail to the petitioner, especially since this is the 2nd anticipatory bail application. It is open for the petitioner to challenge the look-out circular and the proclamation in the manner known to law and file a petition for recall of the warrant. It is needless to say that the learned Trial Judge may consider the same on its merits and in accordance with the law.



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WEB COPY 6. With the above observations, this Criminal Original Petition is dismissed.

13.03.2025

Index : Yes / No
Internet : Yes / No
dpa

To

1.The Inspector of Police,
Teynampet Police Station,
Chennai City,
Chennai District.

2.The Public Prosecutor,
Madras High Court,
Chennai.



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SUNDER MOHAN, J.

dpa

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