



Crl.OP.No.2296 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.2296 of 2025

Santhosh

... Petitioner

Vs.

State by Tamil Nadu,
The Inspector of Police,
B3-Variety Hall Road Police Station,
Coimbatore District.
(Crime No.367 of 2021)

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the case pending in C.C.No.838 of 2022 on the file of Judicial Magistrate Court-V, Coimbatore in the Crime No.367 of 2021 on the file of the respondent police.

For petitioner : Mr.R.Thamaraiselvan

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



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ORDER

The petitioner/accused, who apprehends arrest pursuant to an Non Bailable Warrant issued by the learned Judicial Magistrate Court-V, Coimbatore, on 30.05.2022, seeks anticipatory bail.

2. According to the learned counsel for the petitioner, the summons was not issued to the petitioner and hence, he was not aware of the proceedings.

3. The learned Government Advocate (Crl.Side), however, would submit that the petitioner was aware of the proceedings and he had appeared before the learned Magistrate on summons and thereafter failed to appear.

4. Heard both sides.

5. Considering the rival submissions, this Court is of the view that the anticipatory bail cannot be granted. However, the petitioner is at liberty to approach the learned Judicial Magistrate Court-V, Coimbatore, for recall of



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warrant, which shall be considered by the learned Magistrate on the same day on merits and in accordance with the law.

6. With the above directions, this criminal original petition is disposed of .

06.02.2025

Index : Yes/No
Internet: Yes/No

dpa

To

1.The Inspector of Police,
B3-Variety Hall Road Police Station,
Coimbatore District.

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

3.The Judicial Magistrate Court-V,
Coimbatore.



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SUNDER MOHAN, J.

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