



Crl.O.P.No.2280 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.2280 of 2025

Santhosh

...Petitioner/Accused

Vs.

The State represented by,
The Inspector of Police,
B3-Variety Hall Road Police Station,
Coimbatore District.
(Crime No.393 of 2021)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 438 of the Criminal Procedure Code, to enlarge the petitioner on anticipatory bail, in the case pending in C.C.No.837 of 2022 on the file of Judicial Magistrate Court-Coimbatore in Crime No.393 of 2021 on the file of the respondent police.

For Petitioner : Mr.Thamaraiselvan R

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



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ORDER

The petitioner/accused, who apprehends arrest pursuant to a Non Bailable Warrant issued by the learned Judicial Magistrate – 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 – V, Coimbatore for recall of warrant, which shall be considered by the learned magistrate on the same day on merits and in accordance with the law.



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

04.02.2025

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To

1. The Inspector of Police,
B3-Variety Hall Road Police Station,
Coimbatore District.
2. The Public Prosecutor,
High Court of Madras.
3. The Judicial Magistrate – V,
Coimbatore.



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SUNDER MOHAN., J.
dk

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