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Crl.O.P.No.4173 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 4173 of 2025

Palani @ Palanivel

Petitioner(s)

Vs

The state rep by,
The Inspector of Police,
Tirukoilur Police station,
Kallakurichi District.
(Crime no.179 of 2008)

Respondent(s)

For Petitioner(s): Mr. U Kathiravan

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police in respect of the Non-Bailable Warrant issued by the learned Chief Judicial Magistrate at Kallakurichi in S.C.No.188 of 2024 in Crime No.179 of 2008 for the alleged offences 148, 342, 506(2), 327, 368, 347, 364(A), 120(b) r/w 109 & 149 of IPC, seeks anticipatory bail.



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2. When the matter is taken up for hearing today, the learned counsel appearing for the petitioner submitted that the petitioner herein arrayed as A8 in this case and due to his non-appearance, the Trial Court issued non-bailable warrant on 31.07.2024; that the petitioner is ready to appear and conduct the case before the Trial Court, and sought for anticipatory bail to the petitioner.

3. Learned Government Advocate (Crl. Side) appearing for the respondent police would submit that based on the complaint given by the defacto complainant, the case has been registered in Crime No.179 of 2008 for the offences under Sections 148, 342, 506(2), 327, 368, 347, 364(A), 120(b) r/w 109 & 149 of IPC; that the respondent after completion of investigation, filed final report in S.C.No.204 of 2014 before the learned Principal District and Sessions Judge, Villupuram, thereafter, the case has been transferred to learned Chief Judicial Magistrate, Kallakurichi in S.C.No.188 of 2024; that the petitioner has not appeared for the Trial, the Trial Court has issued non-bailable warrant against the petitioner on 31.07.2024 and the same is pending in S.C.No.188 of 2024.

4. Considering the representation on both sides and that the



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NBW is pending against the petitioner, it is appropriate to direct the petitioner to appear before the Trial Court, where NBW is pending, by filing an appropriate petition to cancel the non-bailable warrant. Accordingly, the petitioner is directed to appear before the Trial Court by filing appropriate application to cancel the NBW issued against him and if any such application is filed, the Trial Court is directed to consider the said application on the same day on merits in accordance with law.

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

18.02.2025

stn

To

The Inspector of Police,
Tirukoilur Police station,
Kallakurichi District.
(Crime no.179 of 2008)

SUNDER MOHAN, J.

stn



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