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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-03-2025

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THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 8917 of 2025

William Gerald @ Jhonson

Petitioner

Vs

State Rep By,
The Station House Officer,
Elavanasurkottai Police Station,
Kallakurichi District. Crime No.78 of 2022

Respondent

For Petitioner : Mr.G.Saravanabhavan

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police pursuant to the non-bailable warrant issued against him on 29.10.2024 in S.C.No.230 of 2024 pending on the file of the Chief Judicial Magistrate, Kallakurichi, for the offence under Sections 294(b), 307, 323, 506(ii) of IPC, in Crime No.78 of 2022, seeks anticipatory bail.

2. The petitioner did not appear before the trial Court in S.C.No.230 of 2024 on 29.10.2024, therefore, the non-bailable warrant was issued against



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3. Learned counsel appearing for the petitioner submitted that due to the petitioner's health issues, he was unable to appear before the trial Court on 29.10.2024. However, now the petitioner is ready to appear before the learned Magistrate to recall the warrant, thereby, he prayed that a direction may be issued to the learned Magistrate to consider the application seeking to recall the warrant on the same day.

4. Learned Government Advocate (Crl.Side) confirmed the aforesaid facts and submitted that the petitioner was aware of the proceedings and that the non-bailable warrant issued against the petitioner is pending from 29.10.2024 on the file of the Chief Judicial Magistrate, Kallakurichi, in S.C.No.230 of 2024.

5. Considering the above facts and the submissions made by the learned counsel on either side, this Court is of the view that the anticipatory bail cannot be granted to the petitioner. However, the petitioner is at liberty to surrender before the learned Chief Judicial Magistrate, Kallakurichi and file a petition to recall of warrant, which may be considered by the Chief Judicial Magistrate, Kallakurichi on the same day on merits and in accordance with law.



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

26-03-2025

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To

1. The Station House Officer,
Elavanasurkottai Police Station,
Kallakurichi District.
2. The Chief Judicial Magistrate,
Kallakurichi,



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SUNDER MOHAN J.

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