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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 10607 of 2025

Arunkumar

Petitioner

Vs

State Rep By,
The Inspector of Police,
Kunnathur Police Station,
Tiruppur. Crime No.384 of 2024

Respondent

For Petitioner : Mr.P.Thinesh
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 24.03.2025 in C.C.No.172 of 2024 pending on the file of the District Munsif cum Judicial Magistrate, Uthukuli, for the offence under Section 304(2) of BNS, in Crime No.384 of 2024, seeks anticipatory bail.

2. The petitioner did not appear before the trial Court in C.C.No.172 of 2024 on 24.03.2025, therefore, the non-bailable warrant was issued against him on the same day and the same is still pending for execution.



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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 24.03.2025. 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 24.03.2025 on the file of the District Munsif cum Judicial Magistrate, Uthukuli, in C.C.No.172 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 District Munsif cum Judicial Magistrate, Uthukuli, and file a petition to recall of warrant, which may be considered by the District Munsif cum Judicial Magistrate, Uthukuli, on the same day on merits and in accordance with law.



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

09-04-2025

drl

To

1. The Inspector of Police,
Kunnathur Police Station,
Tiruppur

2. The District Munsif cum Judicial
Magistrate, Uthukuli



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SUNDER MOHAN J.

drl

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