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CRL OP No. 11769 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 11769 of 2025

1. Babu @ Kamaraj
S/o. Ramachandra, No.38,
Kuppaswamy Mudaliyar Street,
Bangalore Po, Bangalore District,
Karnataka 563114.

Petitioner(s)

Vs

1. State Rep.by, The Inspector of
Police,
Kalambur Police Station,
Tiruvannamalai District. Cr.No.19 of
2005.

Respondent(s)

PRAYER

Criminal Original Petition filed under Section 438 of the Criminal Procedure Code, to enlarge the petitioner on anticipatory bail to enlarge the petitioner on bail in P.R.C.No. 36 of 2014 pending trial on the file of the learned Judicial Magistrate, Arni, Tiruvannamalai District.



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For Petitioner(s): E.Sathiyaraj Elangovan
M.Dhanalakshmi
S. Elvin Niha

For Respondent(s): Public Prosecutor

ORDER

The petitioner/accused, who apprehends arrest pursuant to an Non Bailable Warrant issued by the learned Judicial Magistrate, Arni, Tiruvannamalai District, on 11.07.2016, 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, Arni, Tiruvannamalai District for recall of warrant, which may be considered by the learned magistrate, on merits and in accordance with the law.

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

22-04-2025

vca

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To

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SUNDER MOHAN J.
vca

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