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Crl.O.P.No.13480 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-05-2025

CORAM

THE HONOURABLE MR. JUSTICE N. SENTHIL KUMAR

CRL. O.P. NO.13480 of 2025

Dinesh Kumar @ Dheena

... Petitioner/ A2

Vs

The State represented by,
The Inspector of Police,
E-2, Royapettah Police Station,
Chennai.
(Crime No.605 of 2011)

... Respondent

For Petitioner(s) : Mr. S. Anbarasu

For Respondent(s) : Mr. A. Gopinath, Government Advocate (Crl. Side)

ORDER

The petitioner herein, who apprehends arrest at the hands of the respondent police in respect of the Non-Bailable Warrant issued by the learned XXII Additional Sessions Judge at Chennai in S.C.No.170 of 2016 in Crime No.605 of 2011 for the alleged offence 397 r/w 34 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 is arrayed as A2 in this case and due to his non-appearance, the Trial Court issued non-bailable warrant against him; that the petitioner is ready to surrender before the Trial Court, he seeks anticipatory bail to the petitioner.

3. Learned Government Advocate (Crl. Side) appearing for the respondent police would submit that the petitioner is arrayed as A2 in this case pending trial in S.C.No.170 of 2016 before the learned XXII Additional Sessions Judge at Chennai; that the petitioner had not appeared for the Trial, therefore, there is no progress in the trial and no witnesses were examined, hence the Trial Court has issued non-bailable warrant against the petitioner and the same is pending against him.

4. Considering the representations on both sides and that the 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 petition to cancel the non-bailable warrant. Accordingly, the



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petitioner is directed to appear before the Trial Court by filing an 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. After recalling the NBW, the petitioner is directed to appear before the Trial Court on all hearing dates, without fail.

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

21.05.2025

stn

To

The Inspector of Police,
E-2, Royapettah Police Station,
Chennai.
(Crime No.605 of 2011)



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N. SENTHIL KUMAR, J.

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