



Crl.O.P.(MD) No.722 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.01.2025

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD) No.722 of 2025

Raja

... Petitioner

Vs.

The Inspector of Police,
Thathaiyankarpettai Police Station,
Trichy District.
(In Crime No.22 of 2016)

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, 1973 to recall the Non-Bailable Warrant dated 16.04.2021 issued against the petitioner in C.C.No.106 of 2016, on the file of the learned Judicial Magistrate, Thuraiyur, Trichy District.

For Petitioner : Mr.C.Karthikeyan

For Respondent : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

ORDER

The petitioner, who is facing trial in C.C.No.106 of 2016 on the file of the learned Judicial Magistrate, Thuraiyur, Trichy District, for the



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offences punishable under Sections 457 and 380 of the IPC, has filed this Criminal Original Petition to recall the non-bailable warrant dated 16.04.2021 issued against him.

2. The contention of the petitioner is that the petitioner has been arrayed as A2 in C.C.No.106 of 2016. The petitioner was earlier detained under the Goondas Act on 02.12.2022. Prior to that, a non-bailable warrant was issued. The petitioner's detention was in Central Prison, Tiruchirappalli. The Commissioner of Police, Tiruchirappalli City, Tiruchirappalli, passed the detention order dated 02.12.2022. The case in C.C.No.106 of 2016 was shown as one of the adverse cases against the petitioner. However, the respondent police did not arrest the petitioner to produce him in this case. Therefore, the petitioner was under the impression that the case against him had been closed. The petitioner's detention order was quashed by this Court on 24.07.2023.

3. The further contention of the petitioner is that a case was foisted against him by the Peelamedu Police in August 2023. The petitioner was in Central Prison, Coimbatore, and was released in June 2023. The petitioner has now come to know that the non-bailable warrant is still



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pending against him in C.C.No.106 of 2016. The petitioner apprehends that he will be arrested again on the strength of the non-bailable warrant.

The petitioner has started a new life and is living with his wife and children. He is employed as a supervisor in a packers and movers company. Hence, the petitioner has filed this Criminal Original Petition.

4. In view of the submissions and upon perusal of the available records, it is seen that the petitioner now limits his prayer to the consideration of the non-bailable warrant issued against him on the same day.

5. Therefore, this Court directs the learned Judicial Magistrate, Thuraiyur, Trichy District, to consider the non-bailable warrant issued against the petitioner on the same day he appears. The learned Judicial Magistrate, Thuraiyur, Trichy District, is reminded that the petitioner was detained under the Goondas Act on 02.12.2022 and was in prison from 02.12.2022 to 24.04.2023, which fact is well known to the respondent police.



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

20.01.2025

Index: Yes / No

Neutral Citation: Yes / No

Speaking Order / Non-Speaking Order

JEN

To:

- 1.The Judicial Magistrate,
Thuraiyur, Trichy District.
- 2.The Inspector of Police,
Thathaiyankarpettai Police Station,
Trichy District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR, J.

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