



Crl.O.P.(MD)No.4133 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :05.03.2025

CORAM :

THE HON'BLE MR.JUSTICE P. DHANABAL

Crl.O.P.(MD)No.4133 of 2025

Mohanan @ Mohan

... Petitioner

Vs.

The State of Tamil Nadu,
Represented by the Inspector of Police,
DCB Police Station,
Theni District.
Crime No. 4/2024.

... Respondent

Prayer : Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the Chief Judicial Magistrate Court, Theni to recall the NBW issued by the Chief Judicial Magistrate Court, Theni on 07.01.2025 in C.C No. 25 of 2025 against the petitioners and convert into the Bailable warrant into summons without insisting the physical appearance of the petitioner in view of the judgment quoted I Satendra Kumar Antil Vs. Central Bureau of Investigation and another reported in 2021 (10) SCC 773.

For Petitioner : Mr.K. Radhakrishnan

For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor (Crl. Side)



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ORDER

This Criminal Original Petition has been filed by the petitioner to direct the Chief Judicial Magistrate Court, Theni to recall the Non-Bailable Warrant (NBW) pending against the petitioner in C.C.No.25 of 2025 without insisting the physical appearance of the petitioner.

2. Today, when the matter is taken up for hearing, the learned counsel appearing for the petitioner would submit that during the pendency of this petition, the petitioner was arrested by the respondent police and remanded to the judicial custody. Already he filed a petition before the Trial Court for bail and the same is pending. Now he requested this Court to direct the Trial Court to dispose the bail application without any delay.

3. Since the petitioner was already arrested and remanded to the judicial custody and the bail application is pending before the Chief Judicial Magistrate Court, Theni, it is appropriate to direct the learned Chief Judicial Magistrate, Theni to dispose of the bail application as early as possible without giving any long adjournments.



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4. With the above direction, this Criminal Original Petition stands disposed of.

05.03.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes

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Note: Issue order copy today.



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P. DHANABAL, J.,

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To

1. The Chief Judicial Magistrate Court, Theni
2. The Inspector of Police,
DCB Police Station,
Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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