



Crl.O.P(MD)No.6267 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.04.2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

Crl.O.P(MD)No.6267 of 2025

A. Kolappan

... Petitioner

Vs

The State of Tamilnadu,
Rep By, The Inspector of Police,
E3, Anna Nagar Police Station,
Madurai City, Cr.No.110/2012.

... Respondent

PRAYER: Criminal Original petition has been filed under Section 528 of BNSS to direct the Judicial Magistrate No.VI, Madurai, in C.C.No. 208 of 2021 to recall the non bailable warrant issued against the petitioner on his surrender on the same day.

For Petitioner : Mr.K.Vinayagan

For Respondents: Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the Judicial Magistrate No.VI, Madurai, in C.C.No.208 of 2021 to recall the non bailable warrant issued against the petitioner on his surrender on the same day.



Crl.O.P(MD)No.6267 of 2025

2. According to the Petitioner, he is the 2nd accused in this case. Since the Petitioner was working in abroad, he was unable to receive summons and therefore, he did not attend the Court. Due to his non-appearance, NBW was issued on 26.04.2021.

3. The learned Additional Public Prosecutor appearing for the respondent police would submit that due to non-appearance of the petitioner, NBW was issued against him. The same is pending for more than 4 years. Without approaching the trial Court, straight away he has filed this petition before this Court, hence, it is liable to be dismissed.

4. Considering the prayer sought for by the petitioner and recording the submission of the learned Additional Public Prosecutor, this Court hereby directs the Petitioner to appear before the Trial Court and to file an appropriate petition for cancellation of non-bailable warrant. On such application being filed, the Trial Court is directed to consider the same on its merits and in accordance with law on the same day.



Crl.O.P(MD)No.6267 of 2025

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5.With the above observations and directions, this Criminal

Original Petition is disposed of.

04.04.2025

Internet :Yes
Index :Yes/No
NCC :Yes/No
PNM

To

1.The Judicial Magistrate No.VI, Madurai

2.The Inspector of Police,
E3, Anna Nagar Police Station,
Madurai City,
Cr.No.110/2012.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P(MD)No.6267 of 2025

P. DHANABAL, J.

PNM

ORDER IN
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