



CRL OP(MD). No.12332 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.12332 of 2025

Selvakumar,
S/o.Sundaram

... Petitioner/ A4

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Railway Police Station,
Nagercoil, Kanyakumari District.
(Crime No.194 of 2016)

... Respondent/ Complainant

For Petitioner : Mr.Susi Kumar.C.,
Advocate

For Respondent : Mr.S.Prakash,
Government Advocate
(Criminal Side)

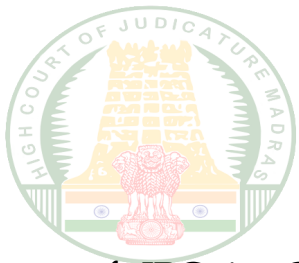
PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.194 of 2016 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A4, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 353, 332 and 307



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of IPC in Crime No.194 of 2016 on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that the de-facto complainant is employed as a Gate Keeper in the Railway Department. It is alleged that on 09.10.2016, at about 10.30 p.m., he closed the gate for a train crossing. At that time, the petitioner, along with other accused, threatened the de-facto complainant with dire consequences and forced him to open the gate by showing a knife. Hence, the present case.

3. The learned counsel for the petitioner submitted that this is the second anticipatory bail application filed before this Court. The petitioner is an innocent person and has not committed any offence as alleged by the prosecution. He has been implicated in this case solely on the ground that he is a friend of the co-accused. The petitioner had already obtained anticipatory bail, produced sureties, and subsequently went abroad for coolie work to support his family's livelihood. In the meantime, a charge sheet was filed, and a Non-Bailable Warrant (NBW) was issued against the petitioner on 01.09.2022. Insofar as the other accused are concerned, the case was split up, and they faced trial and were convicted by the trial Court for a period of six months. The petitioner has now returned to India and is



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will be willing to face trial. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail for the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that there are totally five accused persons in this case and the petitioner has been arrayed as A4. The petitioner was initially granted anticipatory bail. However, he subsequently failed to appear before the trial Court, and a Non-Bailable Warrant (NBW) was issued against him on 01.09.2022. Thereafter, the case against the petitioner was split up, and he was declared as a proclaimed offender. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, and also taking note of the fact that the petitioner has already been declared as a proclaimed offender by the Trial Court, this Court is not inclined to grant anticipatory bail to the petitioner. However, liberty is granted to the petitioner to surrender before the trial Court and file a petition under Section 70(2) of the Cr.P.C. (Section 72(2) of the BNSS) to recall the Non-Bailable Warrant issued against him. Upon such filing, the trial Court is directed to consider the petition on the same day and pass appropriate orders on



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6. Accordingly, this Criminal Original Petition is dismissed.

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25/07/2025

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/08/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

mkn

TO

1.The Inspector of Police,
Railway Police Station,
Nagercoil, Kanyakumari District.

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

ORDER
IN
CRL OP(MD) No.12332 of 2025
Date :25/07/2025

SBN/14.08.2025 4P/3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023