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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

CRL RC(MD)No.966 of 2025
and
CRL MP(MD)No.10105 of 2025

Kannan @ Arulraj ... Petitioner

Vs.

State of Tamil Nadu,
Rep. By The Inspector of Police,
Thuckalay Police Station,
Kanyakumari District.
(Crime No.869 of 2020) ... Respondent

PRAYER: Criminal Revision Petition is filed under Section 438(1) r/w 442 of BNSS, 2023 and Section 397(1) r/w. 401 of Cr.P.C., to call for the records and set aside the impugned order dated 02.07.2025 whereby the bail granted to the petitioner was cancelled and NBW issued against him in S.C.No.44 of 2024 on the file of the learned Subordinate Judge, Padmanabhapuram, Kanyakumari District.

For Petitioner : Mr.V.Muthulakshmi

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

ORDER

Challenging the docket order passed by the learned Subordinate Judge, Padmanabhapuram, in S.C.No.44 of 2024 dated 02.07.2025, this

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Criminal Revision Case is filed.

2.The petitioner herein is the second accused in S.C.No.44 of 2024. On 02.07.2025, when the matter was called up for hearing, both A1 and A2 were absent and thery were not represented through their counsels as well. Due to absence of A1 and A2 and their counsels, witnesses were not examined. Recording the same, the learned Trial Court mentioning the non cooperation of the petitioner and other accused, cancelled the bail and issued Non Bailable Warrant. Challenging the same, this Revision Case is filed.

3.The learned counsel appearing for the petitioner submitted that during the time of trial, the petitioner was not well and the counsel for the petitioner also did not appear before the learned Trial Court. The petitioner should not be punished for the inadvertence of his counsel and sought for setting aside the impugned order.

4.Heard the learned counsels on either side and carefully perused the materials available on record.

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5.Strictly directing the petitioner not to protract the trial proceedings and with a precise direction that the petitioner should appear each and every hearing before the learned Trial Court, the impugned order is set aside and it is made clear that the learned Trial Judge is at liberty to cancel the bail even in future if the petitioner fails to appear before the learned Trial Court even for one hearing.

6.Accordingly, this Criminal Revision Case is allowed. No Costs. Consequently, connected miscellaneous petition is closed.

31.07.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
Mrn

To

1.The Subordinate Judge, Padmanabhapuram, Kanyakumari District.

2.The Inspector of Police,
Thuckalay Police Station,
Kanyakumari District.

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

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L.VICTORIA GOWRI, J.,

Mrn

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