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Crl.O.P.No.10377 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2026

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.10377 of 2026

M.Santhoshraja

... Petitioner

Vs.

State represented by,
The Inspector of Police,
Tiruppur South Police Station,
Tiruppur District.

... Respondent

PRAYER: Criminal Original Petition is under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to grant anticipatory bail to the petitioner in the event of his arrest in S.C.No.64 of 2019 pending before the learned II Additional District and Sessions Judge.

For Petitioner : Mr.Rajangam P K

For Respondent : Mr.P.Dhileepan
Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police pursuant to the non-bailable warrant issued in S.C.No.64 of 2019 in connection with Crime No.654 of 2014 registered for the offence punishable under Sections 365, 324, 364(A) and 120(B) of IPC, seeks anticipatory bail.



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2. Learned counsel appearing for the petitioner submitted that the petitioner (A5) is facing trial in S.C.No.64 of 2019 on the file of the II Additional District and Sessions Court. He further submitted that since the petitioner failed to appear before the trial Court, a Non Bailable Warrant was issued against him. He also submitted that the petitioner is ready to appear before the trial Court and also to co-operate for speedy disposal of the trial. Hence, he prays for grant of anticipatory bail to the petitioner.

3. Learned Government Advocate (Criminal Side) appearing for the respondent opposed for the grant of anticipatory bail to the petitioner stating that the only option available to the petitioner is to surrender before the Court concerned and to file petition seeking to recall the warrant and therefore the petition for anticipatory bail may not be maintainable.

4. Heard both sides and perused the materials available on record.

5. Considering the above facts and circumstances of the case and the submissions made by both sides, a direction is issued to the



petitioner to surrender before the trial Court within a period of two weeks from the date of receipt of a copy of this order and to file an application seeking to recall the warrant. On filing of such petition, the learned Judicial Magistrate concerned is directed to consider the same on merits and pass orders on the same day of his surrender.

6. It is made clear that while considering the petition to recall, the Court below shall bear in mind about the period of the Non-Bailable Warrant and any crime committed while the Non-Bailable Warrant was pending. Mere direction issued by this Court to consider the application on the same day does not amount to a direction to consider the recall petition favourably.

7. With the above directions, the Criminal Original Petition stands disposed of.

30.04.2026

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To

1. The II Additional District and Sessions Judge,
Tiruppur.
2. The Inspector of Police,
Tiruppur South Police Station,
Tiruppur District.
3. The Public Prosecutor, High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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