

Crl.O.P.No.15301 of 2016

S.VAIDYANATHAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Section 302 of I.P.C. r/w Section 149 of IPC, in P.R.C.No.21 of 2014 on the file of the Judicial Magistrate, Alandur, seeks anticipatory bail.

2. Learned counsel for the petitioner submitted that the petitioner was unable to appear before the Trial Court on the hearing date in P.R.C.No.21 of 2014, on account of his ill health. Hence, Non-Bailable Warrant was issued against the petitioner on 05.07.2016.

3. It is submitted by the learned Government Advocate (Crl.side) that Non-Bailable Warrant is pending against the petitioner.

4.Considering the facts and circumstances of the case and considering the fact that Non-Bailable Warrant is pending against the petitioner herein, this Court directs as follows:

(i) the petitioner shall appear in person before
the concerned Magistrate and file a petition under

S.VAIDYANATHAN,J.

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Section 70(2) of Cr.P.C. for recalling the Non-Bailable Warrant;

(ii) in the event of filing such an application by the petitioner, the Judicial Magistrate, Alandur, is directed to take up the matter on a day-to-day basis and shall not adjourn the matter beyond two working days at any point of time and bring the issue to a logical conclusion, as the trial case is of the year 2014.

(iii) Till the disposal of the case by the trial Court, the petitioner shall not leave Tamil Nadu.

With the above direction, the Criminal Original Petition is disposed of.

29.07.2016

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Crl.O.P.No.15301 of 2016