

Crl.O.P.No.4243 of 2016**S.VIMALA, J.**

The petitioner apprehends arrest at the hands of the respondent police pursuant to the NBW issued in C.C.No.33988 of 2004 on the file of the learned VI Metropolitan Magistrate, Egmore, Chennai, filed under Sections 279 and 304(A) of IPC and hence, seeks anticipatory bail.

2. The learned counsel for the petitioner would submit that the petitioner apprehends arrest pursuant to the Non-Bailable Warrant issued by the learned VI Metropolitan Magistrate, Egmore, Chennai. He would further submit that the petitioner had no knowledge about the pendency of the case in C.C.No.37988 of 2004 against him and if it is within his knowledge he would have appeared before the Court.

3. The learned Government Advocate (Crl. Side) submitted that a final report has already been filed in the case

4. Considering the facts and circumstances of the case and considering the fact that as the petitioner is unable to appear before the said Court on the date of hearing and as such Non-Bailable Warrant was issued against the petitioner herein, this Court direct the

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petitioner to surrender before the learned VI Metropolitan Magistrate, Egmore, Chennai and to file a petition under Section 70(2) of Cr.P.C. for recalling the Non-Bailable Warrant before the learned Magistrate concerned and in the event of filing such an application, the learned VI Metropolitan Magistrate, Egmore, Chennai, is directed to consider the same and pass orders on merits in accordance with law on the same day. With the above direction, the Petition is disposed of.

24.03.2016

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