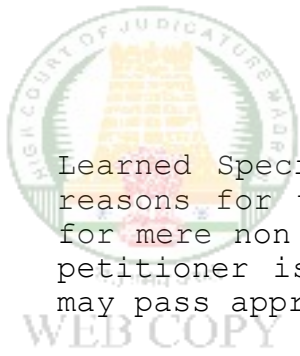




Learned Special Judge issued Non-bailable warrant without noting the reasons for the absence of the petitioner. He further submitted that for mere non appearance on a single day, issuing NBW for securing the petitioner is wholly unsustainable. In view of the above, this Court may pass appropriate orders in line with the said orders.

4. Considering the facts and circumstances of the case, due to non appearance of the petitioner, NBW was issued. However it is to be pointed out that the remedy available to the petitioner is to surrender before the learned Magistrate concerned and to file a petition under Section 70(2) of Cr.P.C. to recall the Non Bailable Warrant of Arrest issued against him. Therefore, the question of granting anticipatory bail does not at all arise.

5. Considering the fact that non-bailable warrant is pending against the petitioner, the petitioner is directed to surrender before the trial Court i.e., learned Principal Special Judge for EC & NDPS Act Cases at Villupuram and file a petition under Section 70(2) of Cr.P.C., to recall the non bailable warrant. On filing of such petition, the learned Principal Special Judge for EC & NDPS Act Cases at Villupuram is directed to consider the said petition on merits and pass orders on the same day. In view of the above observation this petition is closed.

-sd/-
25/10/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE PRINCIPAL SPECIAL JUDGE,
EC & NDPS ACT CASES, VILLUPURAM

2 THE INSPECTOR OF POLICE,
TIRUVENNAIALLUR POLICE STATION,
VILLUPURAM DISTRICT



3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

WEB COPY

CC to M/S.S.SARAVANAKUMAR
charges

Advocate on payment of necessary

CRL OP.19402/2021

Date :25/10/2021

APN 29/10/2021