



4. The learned Government Advocate (Crl.Side) submits that since the petitioner did not appear before the trial Court on 28.09.2021, non bailable warrant was issued against him.

5. In view of the above position, this Court is of the opinion that the relief 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.

6. 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 Special Court of POCSO Act Cases, Salem 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 Special Court of POCSO Act Cases, Salem is directed to consider the said petition on merits and pass orders on the same day.

7. Accordingly, this criminal original petition is disposed of.

-sd/-

26/10/2021

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 SPECIAL COURT OF POCSO ACT CASES,
SALEM.

2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SALEM DISTRICT

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S M.RAJENDIRAN Advocate on payment of necessary charges SR.No.11840

CRL OP.19869/2021

Date :26/10/2021

APN 01/11/2021