



Crl.O.P.No.17128 of 2022

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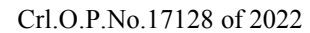
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G.K.ILANTHIRAIYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 302 of IPC in S.C.No.134 of 2019, seeks anticipatory bail.

2. The petitioner is facing trial in S.C.No.134 of 2019 on the file of the learned Additional District and Sessions Judge, Hosur for the offences punishable under Section 302 of IPC and due to his non appearance, the trial Court issued Non-bailable warrant as against the petitioner on 21.06.2022. Hence, the petitioner filed this present petition.

3. The learned counsel appearing for the petitioner would submit that on 21.06.2022 due to foisting a false case in Cr.No.188 of 2022 on the file of the HUDCO Police Station, Hosur, the petitioner was not able to appear before the learned Additional District and Sessions Judge, Hosur in respect of the case in S.C.No.134 of 2019 and hence, non bailable



4. The learned Additional Public Prosecutor would submit that the available warrant has been issued against the petitioner on 21.06.2022. The same is pending.

5. Considering the undertaking given by the learned counsel for the petitioner, the petitioner is directed to appear before the learned Additional District and Sessions Judge, Hosur, within a period of two weeks from today and to file a petition to recall NBW already issued against him. On filing of such petition, the concerned learned Judicial Magistrate is directed to consider the same on merits and pass orders on the same day.



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

7. This criminal original petition is disposed of accordingly.

22.07.2022

Vv



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