



Crl.O.P.No.22549 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehends arrest pursuant to the Non Bailable Warrant has approached this Court seeking for anticipatory bail.

2.The learned counsel for the petitioner submitted the petitioner is a practising Advocate and he is arrayed as A18 in S.C.No.192 of 2018. He would further submit that the fact remains that the petitioner has approached this Court in Crl.O.P.No.22500 of 2021 seeking for early disposal of the case and this Court had directed the learned trial Judge to dispose the case within three months from the date of receipt of copy of the order. However, when the case was posted on 13.09.2022, the petitioner was unable to appear before the Court on account of his illness and despite the petition under Section 317(b) of Cr.P.C being filed, the Trial Court had dismissed the same and directed issuance of non bailable warrant. He would further submit that the petitioner has also filed an application for recalling the warrant and the learned trial Judge had dismissed the same. He would further submit that



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the case stands posted to 22.09.2022 and he is prepared to surrender before the Court on the same day and furnish the sureties and also undertakes to co-operate for speedy disposal of the case. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that this Court had directed the learned trial Judge to dispose of the case in S.C.No.192 of 2018 within a period of three months from the date of receipt of copy of the order. On 13.09.2022, when the case was posted for examination of the witnesses, the petitioner did not appear before the Court. The petition under Section 317(b) of Cr.P.C was filed on behalf of the petitioner, whereas the learned trial Judge had dismissed the said application and thereafter, the petition for recalling the warrant in the absence of the petitioner was filed and the same was also dismissed by the learned trial Judge. He would also submit that due to the absence of the petitioner, the trial is getting delayed.



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5. Taking into consideration the facts of the case and submissions made by the learned counsel and also taking note of the fact that the petitioner is a lawyer by profession and that he has volunteered to surrender on the next hearing date. The petitioner is directed to surrender on 22.09.2022 and file an application for recalling the Non Bailable Warrant and the learned trial Judge is directed to recall the same. However it is made clear that the petitioner shall file an affidavit for undertaking that he will appear before the trial Court on all hearing dates without fail and he will co-operate for speedy disposal of the case.

6. With the above direction, this petition stands disposed of.

19.09.2022

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Note: Issue order copy on 20.09.2022



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16.09.2022