



Crl.O.P.No.24162 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 302, 506(ii) of IPC in Crime No.96 of 2017, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the petitioner along with others have assaulted his son with knife, due to which, his son had sustained fatal injuries and died on the spot . Hence the respondent police has registered a case against the petitioner in the year 2017.

3.The learned counsel for the petitioner would submit that the petitioner has arrayed as A3, he is facing trial in SC.No.78 of 2019 on the file of the Additional District and Sessions Court-IV, Ponneri. On 24.08.2021, due to his illness, the petitioner was unable to appear before the Court. Thereby, on instructions, a petition under Section 317 of



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Cr.P.C was also filed by the the learned counsel for the petitioner, whereas, the Trial Judge has dismissed the petition and issued non bailable warrant for arrest against the petitioner. He would further submit that the petitioner has been all along appearing before the Court regularly. The learned counsel would further submit that the petitioner is prepared to abide by any stringent conditions that may be imposed on him and he is ready to co-operate with the speedy disposal of the case.

4. The learned Government Advocate (CrI.Side) would submit that the case was posted for framing of charges on 24.08.2021, on that day, the petitioner has wilfully evaded appearance to avoid framing of charges. Thereby, the trial Court had issued non bailable warrant for arrest. However, he would oppose to grant anticipatory bail to the petitioner.

5. Taking into consideration the facts and submissions that since the petitioner is ready and willing to surrender voluntarily before the Court below and this Court instead of granting anticipatory bail



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directs the petitioner to surrender before the Court below and to file an application for re-calling the warrant and the learned Judge shall pass orders on the petition on the same day of surrender taking into consideration the merits of the case. Since the case stands posted on 18.10.2022 before the Court below, the petitioner shall surrender any day on or before 18.10.2022.

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

11.10.2022

Vv

Note: Issue order copy on 12.10.2022



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