



Crl.O.P.No.24937 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 alleged offence punishable under Sections 120(b), 147, 148, 341, 506(ii), 302, 149, 109 I.P.C. r/w. Section 3 and 4 of Expose Act, in S.C.No.93 of 2018 in Crime No.153 of 2012 on the file of the Respondent Police, seeks bail.

2.Learned Counsel appearing for the petitioner submitted that the petitioner is the 2nd accused, facing trial in S.C.No.93 of 2018, on the file of the learned Additional District Judge, Mayiladuthurai, for the offence under Sections 120(b), 147, 148, 341, 506(ii), 302, 149, 109 I.P.C. r/w. Section 3 and 4 of Expose Act. He added that the petitioner was originally granted bail and after issuance of summons, the petitioner had been regularly appearing before the committal Court. While so, on 05.09.2022, the petitioner was not able to appear before the trial Court due to his illness, thereby, the trial court had issued a Nonailable Warrant



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against the petitioner for arrest, thereby, he would seek for anticipatory bail. He would further add that the petitioner is prepared to cooperate for the speedy disposal of the trial.

3.Learned Government Advocate (Crl. Side) vehemently opposed to the grant of anticipatory bail to the petitioner stating that the petitioner did not appear before the trial Court on 05.09.2022, thereby, the learned trial Judge had issued Non Bailable Warrant of arrest against him. He added that the case has been formally posted on 17.10.2022.

4.At this juncture, the learned counsel for the petitioner submitted that the petitioner is ready to surrender before the trial Court within a period of one week from the date of receipt of a copy of this order and prayed that a direction may be issued to the learned trial Judge to recall the warrant on the same day of his surrender.

5.Taking into consideration the facts and the submissions made by the learned counsel for the petitioner, the petitioner is hereby directed



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to surrender before the trial Court within a period of one week from the date of receipt of a copy of this order. On such surrender and filing of a petition to recall under Section 317 Cr.P.C., the learned trial Judge shall pass orders on the same day of his surrender.

6.This Criminal Original Petition stands closed accordingly.

14.10.2022

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14.10.2022