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Crl.O.P.No.25361 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498A, 506(i) and 406 of IPC in Crime No.5 of 2020 in CC.No.42 of 2021 on the file of the learned Judicial Magistrate-II, Chidambaram seek anticipatory bail.

2. The learned counsel for the petitioners would submit that the petitioners are accused facing trial in CC.No.42 of 2021 for the offences punishable under Sections 498A, 506(i) and 406 of IPC. He would further submit that due to their illness, they were unable to appear before the Court on 21.09.2022. He would further submit the petitioners have been regularly appearing before the Court, however, on that day, there were boycott of Advocates before the Court on 21.09.2022. He would further submit that when the case listed for hearing, there was boycott by the Advocates and due to confusion, the petitioners were unable to report before the Court. Thereby, the learned Judicial Magistrate had issued non



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bailable warrant for arrest. On instructions, he would further submit that now the petitioners are ready and willing to appear before the next hearing date and file an application for re-calling the warrant for apprehending arrest.

3. The learned Government Advocate (Crl.Side) would submit that the case stands formally posted on 21.09.2022 and since the petitioners did not appear, the Court has issued warrant.

4. Taking into consideration the facts and submission of the learned counsel that the petitioners have voluntarily come forward to surrender themselves before the Court and for re-calling the warrant, the respondent is directed not to take any coercive steps. The petitioners shall surrender before the Court below on the next hearing date I.e., on 31.10.2022 and file an application to re-call the warrant and the learned trial Judge shall consider and pass orders on the same day taking into consideration the merits of the case. Further condition is that the petitioners shall also file an undertaking affidavit that they will regularly appearing before the Court



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without fail.

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

19.10.2022

Vv

Note: Issue Order Copy on 27.10.2022

A.D.JAGADISH CHANDIRA, J.



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19.10.2022