



Crl.O.P.No.28473 of 2022

A.D. JAGADISH CHANDIRA, J.,

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The petitioner, who apprehends arrest for the alleged offences under Sections 420 of IPC in Crime No.6 of 2012 on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel for the petitioner would submit that the petitioner is senior citizen who is the sole accused facing trial in CC.No.2468 of 2019 on the file of the Chief Metropolitan Magistrate, Egmore, Chennai. The petitioner has been regularly appearing before the trial Court, due to his old age and ailments he was unable to appear before the Court on 04.07.2022, thereby, the learned Judge had issued NBW against him. He would submit that apprehending that the petitioner may be remanded to judicial custody, the present petition has been filed seeking for anticipatory bail. He would submit that the petitioner is ready to abide by any stringent condition that may be imposed on him and he also undertakes to cooperate for speedy disposal of the trial. Hence, he prays for grant of anticipatory bail to the petitioner.

3. The learned Additional Public Prosecutor would submit that the sole accused in CC.No.2468 of 2019. Since, the petitioner did not appear before the trial Court on 04.07.2022, the learned Judge had issued the NBW of arrest. He



would submit that the case is now stand posted for trial on 02.12.2022, for appearance of witnesses.

4. At this juncture, the learned counsel for the petitioner would submit that the petitioner is ready to appear before the trial Court on 02.12.2022 (Friday) and he also undertakes that he will cross examine the witnesses on the date of examination in chief. He would submit that age of the petitioner and his voluntariness to surrender may also be taken into consideration.

5. Taking into consideration, the facts and submissions, the petitioner is directed to surrender before the trial Court on 02.12.2022 and to file an application seeking to recall the warrant and the same shall be duly considered by the learned Magistrate on the same day of appearance. The petitioner shall also file an affidavit of undertaking that he shall cooperate for speedy disposal of trial.

6. With the above directions, the criminal original petition is ordered.

29.11.2022

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Note : Issue order copy on 30.11.2022.



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A.D. JAGADISH CHANDIRA. J,
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