



Crl.O.P.No.29192 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 offence punishable under Sections 279, 337 and 304(A) r/w 109 of IPC and Section 190(1) M.V.Act in Crime No.1030 of 2012, seeks anticipatory bail.

2. The learned counsel for the petitioner would submit that the petitioner is a sole accused facing trial in C.C.No.127 of 2013 on the file of the Judicial Magistrate, Perundurai, Erode District. He would submit that he also sustained grievous injuries through out the body and the petitioner was also in coma stage for 21 days. Thereafter, the petitioner had filed an application for quashing the proceedings in Crl.O.P.No.5648 of 2019 and it came to be dismissed on 01.04.2019 and the petitioner was directed to appear before the Court for questioning under Section 313 Cr.P.C and at the time of passing judgment. The petitioner was subsequently affected by Covid and the order of the High Court was communicated belatedly. Meanwhile, the learned Magistrate had issued



Non Bailable Warrant of arrest against the petitioner. He would also submit that the petitioner is ready to co-operate for speedy disposal of the case and hence, he prays for grant of anticipatory bail to the petitioner.

3.The learned Additional Public Prosecutor would submit that the petitioner did not appear before the Court and the trial Court had issued Non Bailable Warrant of arrest against the petitioner during the year 2019. He would submit that the option available for the petitioner is surrender before the concerned Court and file an application for recalling the warrant. Hence, he opposed for grant of anticipatory bail to the petitioner.

4.Heard the learned counsel and perused the entire materials available on record.

5.Taking into consideration the facts and circumstances of the case and also the submissions made by the learned counsel, this Criminal Original Petition is disposed of with a direction to the petitioner to surrender before the trial Court and file an application to recall the Non



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Bailable Warrant and the learned Magistrate shall pass an order on the same day of surrender and the petitioner shall also file an affidavit of undertaking that he will co-operate for speedy disposal of the trial.

29.11.2022

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