



Crl.O.P.No.31792 of 2022

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 399 of IPC r/w 27(1)(B) of Arms Act in P.R.C.No.3 of 2018, seeks anticipatory bail.

2.The learned counsel for the petitioner would submit that the petitioner is facing trial in P.R.C.No.3 of 2018 pending on the file of the learned Judicial Magistrate No.1, Chidambaram. He would further submit that the petitioner has been all along regularly appearing before the Court, due to his illness, he was unable to appear before the Court on 04.01.2021 and thereby, the learned trial Judge has issued a Nonailable Warrant. He would also reiterate that the petitioner has been all along regularly appearing before the court and he is ready to surrender before the trial Court and execute the sureties and also co-operate for the speedy disposal of the trial. Therefore, he prays for grant of bail to the petitioner.



Crl.O.P.No.31792 of 2022

WEB COPY

3.The learned Government Advocate (Crl.Side) 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 on 04.01.2021. 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 for the petitioner as well as the learned Government Advocate (crl.side) for the respondent 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, these Criminal Original Petitions are disposed of with a direction to the petitioner to surrender before the trial Court and file an application to recall the Non Bailable Warrant and the learned Magistrate shall pass an



Crl.O.P.No.31792 of 2022

WEB COPY

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.

23.12.2022

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Crl.O.P.No.31792 of 2022

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Crl.O.P.No.31792 of 2022

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