



Crl.O.P.No.6165 of 2023

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A.D.JAGADISH CHANDIRA, J.

This Criminal Original Petition has been filed seeking to enlarge the petitioner on bail in S.C.No.106 of 2018 on the file of the learned Subordinate Judge/Assistant Sessions Judge, Chidambaram, in Crime No.36 of 2014 registered for the offence punishable under Sections 147, 148, 294(b), 341, 326 and 307 of IPC on the file of the respondent Police.

2. The learned counsel for the petitioner would submit that the petitioner is facing a trial in S.C.No.106 of 2018, which is pending on the file of the learned Subordinate Judge/Assistant Sessions Judge, Chidambaram. He would further submit that the petitioner has been all along regularly appearing before the Court. However, due to health issues, he was unable to appear before the Court on 25.02.2022 and thereby, the learned trial Judge has issued a Nonailable Warrant of arrest. Therefore, he prays for grant of bail to the petitioner.

3. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner has been regularly



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appearing before the Court. He would further submit that Non Bailable Warrant of arrest has been issued and in such circumstances, the option available to the petitioner is to surrender before the Court concerned and file a petition seeking to recall the Non Bailable Warrant and it is for the Court to decide the same.

4. In view of the above, a direction is issued to the petitioner to surrender before the Court concerned and file an application for recalling the Warrant. If such application is filed, the learned Trial Judge shall consider the same and pass orders taking into consideration the merits of the case on the same day of surrender.

5. Accordingly, this Criminal Original Petition stands disposed of.

30.03.2023

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