



Crl.O.P.No.6858 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 C.C.No.165 of 2020 on the file of the learned Judicial Magistrate-I, Poonamalle, in Crime No.896 of 2013 registered for the offence punishable under Sections 294(b), 323 and 506(ii) of IPC on the file of the respondent Police.

2. The learned counsel for the petitioner would submit that the petitioner, who is arrayed as A1, is facing a trial in C.C.No.165 of 2020 pending on the file of the learned Judicial Magistrate-I, Poonamalle. He would further submit that the petitioner has been all along regularly appearing before the Court, however. Due to his other cases pending before various other Courts, he was unable to appear before the Court on 17.12.2021 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. However, he would 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 an application is filed, the learned Trial Judge shall consider the same and pass orders on merits on the same day of surrender.

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

30.03.2023

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