



Crl.O.P.No.7707 of 2023

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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 Section 399 IPC in Crime No.72 of 2014 on the file of the respondent police in S.C.No.73 of 2017 on the file of the Sub Court, Ulundurpet, Kallakurichi District, seeks anticipatory bail.

2. It is a case of jumped bail. The petitioner apprehends arrest pursuant to an Non Bailable Warrant issued against him on 13.12.2022.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an accused and facing trial in S.C.No.73 of 2017 on the file of the Sub Court, Ulundurpet, Kallakurichi District. On 13.12.2022, the petitioner was unable not appear before the Court. Hence, the learned Magistrate has issued Non Bailable Warrant against the petitioner. He would further submit that the said absence is neither willful nor wanton and he undertakes that the petitioner will appear before the Court below regularly on all future hearing dates without fail.



Crl.O.P.No.7707 of 2023

4. The learned Government Advocate (Crl. Side) would submit that it is the case of the year 2014 and the accused are taking turns and absenting themselves and thereby, the trial Court is unable to proceed with the trial.

5. Heard both sides and perused the materials available on record.

6. Considering the above facts and circumstances, the petitioner is directed to appear before the Sub Court, Ulundurpet, Kallakurichi District, within a period of two weeks from today and to file a petition to recall NBW already issued against him. On filing of such petition, the concerned learned Judge is directed to consider the same on merits and pass orders on the same day.

7. This criminal original petition is disposed of accordingly.

12.04.2023

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