



Crl.O.P.No.7790 of 2023

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A.D.JAGADISH CHANDIRA.J.

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(B), 323, 506(1) IPC read with Section 4 of Tamil Nadu Prohibition Harassment of Women Act, 1998, in Crime No.35 of 2015 on the file of the respondent police, in C.C.No.179 of 2015 on the file of the learned Judicial Magistrate-1, Mannarkudi, seeks anticipatory bail.

2. It is a case of jumped bail. The petitioner apprehends arrest pursuant to an Nonailable Warrant issued against him on 15.11.2021.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an accused and facing trial in C.C.No.179 of 2015 on the file of the learned Judicial Magistrate-1, Mannarkudi. He further submitted that the petitioner had gone to abroad for his job purpose and after returning to India, he came to know that Nonailable Warrant has been issued against the petitioner. He would 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 and ready to co-operate for the speedy disposal of the trial.

Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that on 15.11.2021, the petitioner did not appear before the trial Court and therefore, the learned Magistrate has issued Non Bailable Warrant against the petitioner. He would further submit that the option available to the petitioner is that he has to surrender before the trial Court and to file an application to recall the Non Bailable Warrant issued against him.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent police and perused the materials available on record.

6. Considering the above facts and circumstances, the petitioner is directed to appear before the learned Judicial Magistrate-1, Mannarkudi., 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.



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20.04.2023



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