



Crl.O.P.No.7995 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehends arrest in pursuance to the Non-Bailable Warrant dated 02.08.2022 issued by the learned Sessions Judge, Mahalir Neethimandram, Allikulam at Chennai for the offence under Sections 341, 324, and 307 of IPC, in Crime No.335 of 2017 seeks anticipatory bail.

2. The learned counsel appearing for the petitioner would submit that the petitioner is an accused facing trial in SC.No.444 of 2018 on the file of the learned Sessions Judge, Mahalir Neethimandram, Allikulam at Chennai. He further submit that the petitioner due to his illness, was unable to appear before the Court, thereby the learned Magistrate had issued Non Bailable Warrant of arrest on 02.08.2022 and thereby apprehending arrest, the present petition has been filed seeking for anticipatory bail to the petitioner.

3. The learned Government Advocate (Crl. Side) appearing for the



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respondent would submit that the option available to the petitioner to surrender and apply for recall of the warrant.

4. Taking into consideration the facts and submissions, the only option for the petitioner is to surrender before the learned the learned Sessions Judge, Mahalir Neethimandram, Allikulam at Chennai, and to file a petition to recall NBW already issued against them. On filing of such petition, the concerned learned Judicial Magistrate is directed to consider the same on merits and pass orders on the same day itself.

5. This Criminal Original Petition is disposed of accordingly.

17.04.2023

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