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CrI.O.P.No.8839 of 2023

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S.SOUNTHAR, J

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Section 395 of IPC in Crime No.684 of 2009 pending trial in SC.No.312 of 2011 on the file of the learned XV Additional Sessions Court, Chennai seek anticipatory bail.

2. The case of the prosecution is that the petitioner along with others have alleged to have committed the dacoity at knife point and robbed 2500 grams gold and gold biscuit from the defacto complainant. Hence the complaint.

3. The learned counsel for the petitioners would submit that on 08.01.2022, due to Covid-19 Pandemic, the petitioners were not able to appear before the learned XV Additional Sessions Judge, Chennai in respect of the case in Cr.No.684 of 2009 in SC.No.312 of 2011 and hence, warrant has been issued against the petitioners. He would further submit that the said absence is neither willful nor wanton and he



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undertakes that the petitioners shall appear before the Court below regularly on all future hearing dates without fail.

4. The learned Government Advocate (Crl.Side) would submit that submit that due to the non appearance of the petitioners on 08.01.2021, non bailable warrant has been issued against them on 08.01.2021. Hence, he opposed for grant of anticipatory bail to the petitioners.

5.In view of the above, this Court is not inclined to grant anticipatory bail to the petitioners. However, a direction is issued to the petitioners to surrender and file an application for recalling the Non Bailable Warrant and the learned trial Judge is directed to consider and pass orders on the same day taking into consideration the merits of the case.

6.With the above direction, this petition stands disposed of.

04.05.2023

Vv

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