



Crl.O.P.No.9517 of 2023

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S.SOUNTHAR, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 454 and 380 of IPC in Crime No.1001 of 2015 on the file of the Judicial Magistrate Court, Dharapuram in C.C.No.67 of 2017.

2. The learned counsel appearing for the petitioner would submit that the petitioner is an accused and facing trial in C.C.No.67 of 2017 on the file of the Judicial Magistrate Court, Dharapuram. He further submitted that the petitioner was suffering from Jaundice and taking treatment for Jaundice and therefore, he was unable to appear before the Court. 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.

3. The learned Government Advocate (Crl. Side) would submit that on 18.09.2018, the petitioner did not appear before the trial Court



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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.

4. 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.

5. Considering the above facts and circumstances, the petitioner is directed to appear before the Judicial Magistrate Court, Dharapuram, 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.

6. This Criminal Original Petition is disposed of accordingly.

04.05.2023

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