



Crl.O.P.No.9631 of 2023

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S.SOUNTHAR, J.

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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 143, 448, 186, 353, 505(i)(b) of IPC r/w 7(i) (a) of Criminal Law Amendment Act in Crime No.319 of 2017 on the file of the respondent police in C.C.No.187 of 2018 on the file of the learned District Munsif cum Judicial Magistrate Court, Nannilam, Thiruvarur District, seek anticipatory bail.

2. It is a case of jumped bail. The petitioners apprehend arrest pursuant to the Nonailable Warrant issued against them.

3. The learned counsel appearing for the petitioners would submit that the petitioners are accused and facing trial in C.C.No.187 of 2018 on the file of the learned District Munsif cum Judicial Magistrate Court, Nannilam, Thiruvarur District for the offences under Sections 143, 448, 186, 353, 505(i)(b) of IPC r/w 7(i) (a) of Criminal Law Amendment Act.



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He would submit that the petitioners were regularly appearing before the Court and on 07.09.2022, due to illness, the petitioners could not appear before the Court and thereby, the trial Court has issued Non Bailable Warrant of arrest against the petitioners. He would further submit that the said absence is neither willful nor wanton and he undertakes that the petitioners will appear before the trial Court regularly on all future hearing dates without fail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that this is the case of the year 2018. The petitioners did not appear before the trial Court on 07.09.2022 and therefore, Non Bailable Warrant of arrest was issued against the petitioners and that the petitioners have been absconding for the past seven months. He would submit that due to the abscondance of the petitioners, the trial Court is unable to proceed with the trial. He would further submit that the only option available to the petitioners is that they have to surrender before trial Court and to file an application to recall the Non Bailable Warrant issued against them.



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6. Considering the above facts and circumstances, the petitioners are directed to appear before the learned **District Munsif cum Judicial Magistrate, Nannilam, Thiruvarur 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. It is made clear that no positive direction has been given by this Court.

7. This criminal original petition is disposed of accordingly.

04.05.2023

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