



CrI.O.P.No.13051 of 2023

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**A.D.JAGADISH CHANDIRA, J.**

The petitioner who apprehends arrest in pursuance to the Non-Bailable Warrant dated 24.04.2023 in CC.No.209 of 2023 by the learned District Munsif cum Judicial Magistrate, Madukarai pending trial for the alleged offences under Sections 341, 294(b) and 506(i) of IPC, in Crime No.174 of 2019 seeks anticipatory bail.

2. The learned counsel appearing for the petitioner would submit that the petitioner is an accused facing trial in C.C.No.209 of 2023 pending on the file of the learned District Munsif cum Judicial Magistrate, Madukarai. He further submitted 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 24.04.2023 and thereby apprehending arrest, the present petition has been filed seeking for anticipatory bail to the petitioner.



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drl

3. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that the option available to the petitioner is 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 District Munsif cum Judicial Magistrate, Madukarai 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 itself.

5. This Criminal Original Petition is disposed of accordingly.

**15.06.2023**

drl

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