



Crl.O.P.No.15894 of 2023

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G.CHANDRASEKHARAN. J.

This petition is filed under Section 438 Cr.P.C., to enlarge the petitioner on anticipatory bail in the event of his arrest based on the non-bailable warrant issued by the learned Sessions Judge, Fast Track Mahila Court, Erode, in Spl.S.C.No.52 of 2020.

2. Learned counsel for the petitioner submitted that petitioner was granted bail by this Court in Crl.O.P.No.14044 of 2020, dated 10.09.2020, with one of the conditions that,

(b) the petitioner shall execute two sureties, each for a sum of Rs.10,000/- (Rupees Ten Thousand Only), before the learned Sessions Court, Magalir Neethi Mandram, Fast Track Mahila Court under POCSO Act, Erode, within 15 days from the date of commencement of the Court's normal functioning failing which the bail granted by this Court shall stand dismissed automatically;



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3.This order was passed during Covid-19 pandemic.

Unfortunately, petitioner had not complied with the order for executing the bond. Now, when the case was taken on file, non-bailable warrant was issued against the petitioner and it is pending.

4.In response, the learned Government Advocate (Crl.side) submitted that due to Covid-19 pandemic, petitioner was released on bail subject to his execution of bond after the commencement of regular Court functioning. However, petitioner has not executed the bond and now non-bailable warrant is issued.

5.In the light of the background under which non-bailable warrant was issued against the petitioner, this Court directs the petitioner to surrender before the learned Sessions Judge, Magalir Neethi Mandram, Erode, within a period of two weeks from the date of receipt of a copy of this order, with a petition for recall of non-bailable warrant. On such filing of the petition, the learned Sessions Judge, Magalir Neethi Mandram, Erode, is directed to recall the non-bailable warrant and also



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obtain the bond, as per the order of this Court, passed in

Crl.O.P.No.14044 of 2020, dated 10.09.2020.

6.Accordingly, this Criminal Original Petition is disposed of.

20.07.2023

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