



Crl.O.P.No.20012 of 2023

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RMT.TEEKAA RAMAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police in respect of the non-bailable warrant issued in Spl.C.C.No.14 of 2022 on the file of the learned Principal Sessions Judge, Tiruvarur, for the offences punishable under Section 379 of IPC r/w Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.07 of 2018, seek anticipatory bail.

2.The learned counsel for the petitioners submitted the petitioners are facing trial in Spl.C.C.No.92 of 2023 on the file of the learned Principal Sessions Judge, Tiruvarur. He would further submit that the petitioners have been all along regularly appearing before the Court, due to their illness, they were unable to appear before the Court on 07.08.2023 and thereby, the learned trial Judge has issued a Non Bailable Warrant. He would further submit that the petitioners are prepared to surrender before the Court on the next hearing date and furnish the sureties and also undertakes to co-operate for speedy disposal of the case. Hence, he prays for grant of anticipatory bail to the petitioners.



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3.The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that the petitioners did not appear before the Court and the trial Court had issued Non Bailable Warrant of arrest against the petitioners on 07.08.2023. He would submit that the option available for the petitioners is surrender before the concerned Court and file an application for recalling the warrant. Hence, he opposed for grant of anticipatory bail to the petitioners.

4.Taking into consideration the facts and circumstances of the case and also the submissions made by the learned counsel, this Criminal Original Petition is disposed of with a direction to the petitioners to surrender before the trial Court on 11.09.2023 at 10.30 a.m., and file an application to recall the Non Bailable Warrant and on such filing, the learned Sessions Judge shall consider and pass an order on the same day of surrender taking into consideration the merits of the case.

31.08.2023

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Note: Issue order copy on 04.09.2023



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