



Crl.O.P.No.20348 of 2023

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RMT.TEEKAA RAMAN, J.

The Petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 120 B, 394, 397 & 414 IPC in connection with S.C.No.366 of 2011, pending trial on the file of the learned XIX Additional District Sessions Judge, Chennai seeks anticipatory bail.

2.The learned counsel for the Petitioner would submit that in SC.No.366 of 2011, pending trial on the file of the learned XIX Additional District Sessions Judge, Chennai, out of 23 witnesses 10 witnesses have been examined by the prosecution. Meanwhile, A4 died subsequently, A1 also died. Since A4 died, Petitioner/A5, who is the wife of A4, was not able to appear before the learned trial Judge and hence, Non Bailable warrant was issued against her. Hence, the learned counsel for the Petitioner prays for grant of anticipatory bail to the Petitioner.

3.The learned Government Advocate (Crl. Side) would submit that since the Petitioner did not appear before the Court below and the trial Court



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had issued Non Bailable Warrant against the Petitioner on 20.06.2016. He would further submit that the option available for the Petitioner is to surrender before the Court, concerned and file an application for recalling the warrant. Hence, he opposed for grant of anticipatory bail to the Petitioner.

4.Heard the learned counsel on either sides and perused the entire materials available on record.

5.Taking into consideration the facts and circumstances of the case and also the submissions made by the learned counsel on either sides and the fact that the jurisdictional Court viz., the learned XIX Additional District Sessions Judge, Chennai has already issued Non Bailable Warrant to the Petitioner and now the Petitioner has come forward with this Petition contending that after the death of her husband, she is not aware of the proceedings, this Criminal Original Petition is disposed of with a direction to the Petitioner to surrender before the trial Court at 10.30 am and file an application to recall the Non Bailable Warrant and the learned XIX Additional District Sessions Judge, Chennai, shall pass an order on the same day of surrender and



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the Petitioner shall also file an affidavit of undertaking that she will co-operate
for speedy disposal of the trial.

08.09.2023

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