

Crl.O.P.No.21125 of 2023**RMT.TEEKAA RAMAN, J.**

The petitioner, who apprehends arrest at the hands of the respondent police in respect of the non-bailable warrant issued in P.R.C.No.16 of 2014 on the file of the learned Judicial Magistrate Court, Mayiladuthurai, for the offences punishable under Sections 147, 148, 452, 392, 397, 307 and 365 of I.P.C in Crime No.1345 of 2002, seeks anticipatory bail.

2.The learned counsel for the petitioner submitted the petitioner is the accused facing trial in P.R.C.No.16 of 2014 on the file of the learned Judicial Magistrate Court, Mayiladuthurai. He would further submit that the petitioner has been all along regularly appearing before the Court, due to his illness, he was unable to appear before the Court on 19.04.2023 and thereby, the learned trial Judge has issued a Non Bailable Warrant. He would further submit that the petitioner is prepared to surrender before the Court 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 petitioner.

3.The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that the petitioner did not appear before the Court and the trial Court had issued Non Bailable Warrant of

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arrest against the petitioner on 19.04.2023. He would submit that the option available for the petitioner is surrender before the concerned Court and file an application for recalling the warrant. Hence, he opposed for grant of anticipatory bail to the petitioner.

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 petitioner to surrender before the trial Court on or before 04.10.2023 and file a necessary application to recall the Non Bailable Warrant and on such filing, the learned Judicial Magistrate shall consider and pass an order on the same day of surrender taking into consideration the merits of the case.

**15.09.2023**

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