



Crl.O.P. No.21205 of 2024

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WEB COPY

P. DHANABAL.J.,

The petitioner apprehends arrest on the Non Bailable Warrant issued by the Special Court for the Exclusive Trial of POCSO Act Cases, Coimbatore in Spl.C.C.No.61 of 2021 in Crime No.8 of 2021, seeks anticipatory bail.

2. When the matter is taken up for hearing, the learned Counsel for the Petitioner would contend that already bail was granted to this petitioner. The petitioner was regularly appearing before the Special Court for POCSO Act Cases, Coimbatore. Due to his illness, he is unable to appear before the trial Court. Hence, on 04.12.2021, the trial Court has issued Non Bailable Warrant against this petitioner. Due to pendency of the Non Bailable Warrant there is a apprehension that the petitioner may arrested by the respondent police. Hence, he filed the present anticipatory bail application.



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3. The learned Government Advocate (Criminal Side) would submit that bail was granted to the petitioner and he failed to appear before the Special Court, Exclusive Trial of POCSO Act Cases, Coimbatore. Hence, the trial Court on 04.12.2021 has issued Non Bailable Warrant against this petitioner and the said Non Bailable Warrant is still pending. Hence, the learned Government Advocate (Criminal Side) vehemently opposed to grant anticipatory bail to the petitioner.

4. Heard both side and perused the materials available on record.

5. Considering the rival submissions on either side, considering that the petitioner was already granted bail, now the Trial Court issued Non Bailable Warrant against this petitioner and the same is pending, this petitioner is directed to appear before the Special Court for Exclusive Trial for POCSO Act Cases, Coimbatore and file an application before the Trial Court for cancelling the Non Bailable Warrant pending against him. If any application filed by the petitioner for cancelling the Non Bailable Warrant, then the trial Court is directed to consider the said application on the same day on merits in accordance with law.



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03.09.2024

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To

1. The Special Court for POCSO Act Cases,
Coimbatore.
2. The Inspector of Police,
All Women Police Station,
Thudiyalur, Coimbatore.
3. The Public Prosecutor,
High Court, Madras



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