



Crl.O.P.No.28073 of 2024

Crl.O.P.No.28073 of 2024

WEB COPY

A.D.JAGADISH CHANDIRA.J.

The petitioner, who apprehends arrest at the hands of the respondent police for offences punishable under Sections 8(c) read with 20(b)(ii)(B) of NDPS Act, pursuant to a Non Bailable Warrant issued against him on 04.07.2022 in C.C.No.36 of 2019 by the Additional District and Special Court for Trial of Cases under the E.C. Act, Coimbatore, seeks anticipatory bail.

2. The learned counsel appearing for the petitioner would submit that the petitioner is an accused in Crime No.641 of 2018 on the file of the respondent police, registered for the offences under Sections 8(c) read with 20(b)(ii)(B) of NDPS Act. The petitioner was arrested and thereafter, released on bail. Subsequently, the respondent police filed final report and the same was taken up for trial in C.C.No.36 of 2019 by the Additional District and Special Court for Trial of Cases under the E.C. Act, Coimbatore. Thereafter, the petitioner was regularly appearing before the Court. Meanwhile, the petitioner was arrested in another case in Crime No.352 of 2022 by the Kuruppampady Police Station, Ernakulam District on 05.05.2022 and he was in custody and since he did not appear before



CrI.O.P.No.28073 of 2024

the trial Court on 04.07.2022, the trial Court issued Non Bailable Warrant of arrest against the petitioner on the same day. Subsequently, the petitioner was granted bail in Crime No.352 of 2022 by the High Court of Kerala in Bail Appl. No.1951 of 2024 on 26.03.2024 with a condition that the petitioner should not leave the State of Kerala without obtaining prior permission from the Jurisdictional Court. He further submitted that the petitioner has applied for relaxation of the said condition and the same is pending. He also submitted that the petitioner is ready to co-operate for speedy disposal of the trial.

3. The learned Advocate (CrI. Side) would submit that the petitioner is an accused in C.C.No.36 of 2019 on the file of the Additional District and Special Court for Trial of Cases under the E.C.Act, Coimbatore, and since he did not appear before the Court on 04.07.2022, the trial Court issued Non Bailable Warrant of arrest against the petitioner and that the next hearing date is on 29.01.2025. He further submitted that the option available to the petitioner is that he could surrender before the concerned Court and file a petition for recalling the NBW.

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



CrI.O.P.No.28073 of 2024

5. In view of the above, the petitioner is directed to surrender before the Additional District and Special Court for Trial of Cases under the E.C. Act, Coimbatore, within a period of two weeks from the date of receipt of a copy of this order and file a petition to recall NBW already issued against him. On filing of such petition, the concerned learned Judge is directed to consider the same on merits and pass orders on the same day.

6. This Criminal Original Petition is disposed of accordingly.

15.11.2024

ksa-2



WEB COPY



CrI.O.P.No.28073 of 2024

A.D.JAGADISH CHANDIRA.J.

CrI.O.P.No.28073 of 2024

15.11.2024