



Crl.O.P.No.28846 of 2024

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A.D.JAGADISH CHANDIRA, J.,

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 420, 465, 467, 471 and 34 of IPC, in C.C.No.5712 of 2023, pending on the file of the Metropolitan Magistrate for Exclusive Trial of CCB (relating to cheating cases in Chennai) and CBCID Metro Cases, Egmore, Chennai, seeks anticipatory bail.

2.Learned counsel appearing for the petitioner submitted that the petitioner is facing trial in C.C.No.5712 of 2023 on the file of the Metropolitan Magistrate for Exclusive Trial of CCB (relating to cheating cases in Chennai) and CBCID Metro Cases, Egmore, Chennai, for the offences under Sections 420, 465, 467, 471 and 34 of IPC. He further submitted that the petitioner has been regularly appearing before the trial Court on all hearing dates, while so, due to health issue, he was unable to appear before the trial Court on 23.10.2024, thereby, a Nonailable Warrant was issued by the Trial Court, against him. He also submitted that the



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petitioner is ready to appear before the Trial Court and and also he is ready to co-operate for speedy disposal of the trial. Hence, he prays for grant of anticipatory bail to the petitioner.

3.Learned Government Advocate (Criminal Side) submitted that since the petitioner, who is an accused facing trial in C.C.No.5712 of 2023, pending on the file of the Metropolitan Magistrate for Exclusive Trial of CCB (relating to cheating cases in Chennai) and CBCID Metro Cases, Egmore, Chennai, has failed to appear before the Trial Court on 23.10.2024, the Trial Court has issued a Non-Bailable Warrant of arrest against him. He also submitted that due to the absence of the petitioner, the Trial Judge is unable to frame charges and to proceed with the trial and now the case stands posted on 18.11.2024. He further submitted that the only option available to the petitioner is to surrender before the Court concerned and to file petition seeking to recall the warrant and therefore, the petition for anticipatory bail may not be maintainable. Hence, he object for grant of anticipatory bail.



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4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent and perused the materials available on record.

5. Considering the above facts and circumstances of the case and the submissions made on both sides, a direction is issued to the petitioner to surrender before the Trial Court and to file an application seeking to recall the warrant and the learned Trial Judge, taking into consideration the merits of the case, shall pass orders on the petition on the same day of his surrender.

6. With the above directions, the Criminal Original Petition stands disposed of.

26.11.2024

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Note: *Issue order copy on 27.11.2024*



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