

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.07.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.16363 of 2015

V.K.Aiyar

...Petitioner

Vs

State rep.by  
The Inspector of Police,  
CCIW, CID, Anna Nagar,  
Chennai-40.

...Respondent

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to consider the petition and to recall warrant issued on 21.05.2015 without insisting on the presence of the petitioner/accused No.2, in CC.No.672 of 2015 in Crime No.2 of 2013 on the file of the learned XI Metropolitan Magistrate, Saidapet, Chennai.

For Petitioner : Mr.P.Ayyaswami

For Respondent : Mr.C.Emalias  
Additional Public Prosecutor

ORDER

This petition has been filed to consider the petition and to recall warrant issued on 21.05.2015 without insisting on the presence of the petitioner/accused No.2, in CC.No.672 of 2015 in Crime No.2 of 2013 on the file of the learned XI Metropolitan Magistrate, Saidapet, Chennai.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent and perused the material placed on record.

3.Aggrieved by the order passed by the learned XI Metropolitan Magistrate, Saidapet, Chennai, this petition has been filed. On a careful reading of the said order, this Court finds that there is no impropriety or illegality in the said order. The learned Magistrate has noted that the petitioner has not appeared before him continuously for three hearings. Hence, the petitioner

is directed to surrender before the learned Magistrate and file appropriate application for recall of Non-Bailable Warrant. The learned Magistrate may bear in mind the fact that the petitioner was already arrested and released on bail and accordingly, pass orders on his application, for recall of warrant.

With these observations, this Criminal Original Petition is closed.

Sd/-  
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

mps

To

1.The Inspector of Police,  
CCIW, CID, Anna Nagar,  
Chennai-40.

2.The Public Prosecutor,  
High Court, Chennai.

1 CC to Mr.P.Ayyaswami, Advocate SR.No. 33153

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VD (CO)  
PSI (14.07.2015)

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