

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :08.7.2015

Coram

THE HONOURABLE MR. JUSTICE B. RAJENDRAN

Criminal Revision Case No. 457 of 2015

S. Ramesh

.. Petitioner/A2

Versus

1. State Rep.by the Inspector of Police
J1 Saidapet Police Station
Chennai -600 015

2. Dr.N.Sethuraman ... Respondents/Complainant
(R2 impleaded as per
Order of this Court made in
M.P.No.2/15 in CrI.R.C.No.457/15
dated 3.7.2015)

Criminal Revision case filed under Section 397 and 401 of Cr.P.C.
against the Order dated 07.3.2015 passed by the XVIII Metropolitan
Magistrate, Saidapet, Chennai, passed in CrI.M.P.No.757 of 2015 in
C.C. No.1725 of 2013.

For Petitioner : Mr.S.Vinothkumar

For R1 : Mr. V.Arul
Government Advocate

For R2 : Mr. K.Subramanian
Senior Counsel for
Mr.S.Punniyakotti

ORDER

The present Criminal Revision Case is filed by the petitioner as
against the order dated 07.3.2015 passed by the learned XVIII
Metropolitan Magistrate, Saidapet, Chennai, in C.M.P.No. 757 of 2015
in C.C. No. 1725 of 2013 in and by which, NBW was issued against the
revision petitioner.

2. This Court by order, dated 26.6.2015 in MP.No.2 of 2015 in
CrI.RC.No.457 of 2015 has observed as follows:

"2. During the course of hearing in the above
petition, after elaborate arguments advanced by
counsel for both sides, the learned counsel appearing
for the first respondent submits that the first
respondent undertakes that he will appear before the

trial court on 02.07.2015 without fail and on that day he will also file an application to recall the warrant issued against him. The said statement is recorded.

3. Having regard to the above submission of the counsel for the first respondent, the first respondent is directed to appear before the trial court on 02.07.2015 and on that date it is open to him to file an application to recall the warrant issued against him on the same day. The first respondent is further directed to file an affidavit before the trial court to the effect that he will regularly appear before the trial court on all the hearing dates. Post the above Petition for reporting compliance on 03.07.2015."

3. Today when the matter is taken up, it is brought to the notice of this Court that subsequent to the order of this Court, the revision petitioner appeared before the Court below on 02.7.2015 but he did not appear thereafter in the next hearing. Therefore, the Court below has dismissed the surrender application and also the application recalling the warrant.

4. In view of the same, the present Criminal Revision case has become infructuous. Accordingly, the Criminal Revision is dismissed as infructuous. Consequently, connected miscellaneous petition is closed. It is open to the revision petitioner to file appropriate petition in the manner known to law, if he is so advised.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

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To

1. The XVIII Metropolitan Magistrate, Saidapet, Chennai.
2. The Public Prosecutor, High Court, Madras.
3. The Inspector of Police

J1 Saidapet Police Station
Chennai -600 015

1 cc to Mr. A.M.Abdul Wahab, Advocate Sr.No.34886

Cr1 RC No. 457 of 2015

msm(co)
pmk.23.7.2015