

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2015

CORAM:

THE HON'BLE MR.JUSTICE R.S.RAMANATHAN

CRL.O.P.No.2106 of 2015

Vijayakumar Reddy

.. Petitioner

Vs.

1. M/s.Vinitha Associates,
rep. by its Managing Director,
Sumerchand Bafna, No.8/1, Cenotaph Road,
First Lane, Teynampet,
Chennai - 600 018.

2. State, rep. by
Inspector of Police,
E.3, Teynampet Police Station,
Teynampet, Chennai.

.. Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the III Fast Track Court Magistrate, Saidapet, Chennai, to consider the bail petition and recall the non bailable warrant issued on 20.10.2014, in C.C.No.11190 of 2008, for offence under Section 138 of Negotiable Instruments Act, on the basis of the petitioner's surrender.

For Petitioner : Mr.G.Saravanakumar

For Respondent-2 : Mr.M.Maharaja
Additional Public Prosecutor

O R D E R

The petitioner seeks for a direction to III Fast Track Court Magistrate, Saidapet, Chennai, to consider his bail petition on the same day and release him on bail in connection with a case in C.C.No.11190 of 2008.

2. The petitioner is an accused for offence punishable under Section 138 of Negotiable Instruments Act.

3. The learned counsel appearing for petitioner submits that non-bailable warrant has been issued against the petitioner, since he had not appeared before the lower Court.

4. Considering the submissions made, this Court feels that this is a fit case for recall of the non-bailable warrant issued by the lower Court and accordingly, the petitioner is directed to appear in person to file a petition under Section 70(2) of Cr.P.C. for recalling the Non-Bailable Warrant before the learned III Fast Track Court Magistrate, Saidapet, and in the event of filing such an application, the learned Magistrate is directed to consider the same and pass orders on merits on the same day and in accordance with law.

5. With the above direction, the Criminal Original Petition is disposed of.

sd

-s/d-
Assistant Registrar(CO)
Dt:12/2/2015

True Copy

Sub-Assistant Registrar

To

1. The III Fast Track Court Magistrate, Saidapet,
2. M/s.Vinitha Associates,
rep. by its Managing Director,
Sumerchand Bafna, No.8/1, Cenotaph Road,
First Lane, Teynampet,
Chennai - 600 018.
3. Inspector of Police,
E.3, Teynampet Police Station,
Teynampet, Chennai.
4. The Public Prosecutor,
High Court of Madras,
Chennai.

+ 1 cc to M/s.G.Saravanakumar, Advocate SR 5101

ala(co)
prk13/2

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