

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2015

CORAM:

THE HON'BLE MR.JUSTICE R.SUBBIAH

CrI.O.P.No.25889 of 2015

Sachin Mohan

... Petitioner/Accused 6

Vs.,

The Inspector of Police,
Crime Branch CID,
Metro Wing,
Chennai-600 008.

... Respondent/Complainant

Prayer: Petition filed under Section 482 of the Criminal Procedure Code praying to direct the learned Judicial Magistrate No.I, Chengalpet, to consider the recall petition in C.C.No.126 of 2015 pending on his file.

For Petitioner : Mr.N.Jothi, Senior Counsel
for Mr.T.R.Sundaram

For Respondents : Mr.C.Emalias, APP (For R1)

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ORDER

This petition has been filed by the petitioner praying to direct the learned Judicial Magistrate No.I. Chengalpet, to consider the recall petition in C.C.No.126 of 2015 pending on his file.

2.The petitioner has been arrayed as 6th accused in the case in C.C.No.126 of 2015 pending on the file of the learned Judicial Magistrate No.I, Chengalpet. Since the petitioner did not appear before the Trial Court, Non-Bailable Warrant has been issued against the petitioner/A6. Hence, the petitioner has come forward with the present petition before this Court.

3.The learned Additional Public Prosecutor submitted that petitioner being an accused in C.C.No.126 of 2015 pending on the file of the learned Judicial Magistrate No.I, Chengalpet, did not appear before the said Court and hence, non-bailable warrant was issued as against the petitioner.

4.Learned counsel for the petitioner submits that the petitioner is ready and willing to co-operate with the trial.

5.Taking note of the said submissions on either side, the petitioner is directed to appear before the trial court within a period of two weeks from the date of receipt of a copy of this order by filing an application under Section 70(2) Cr.P.C to re-call the warrant and also by filing an affidavit before the concerned court to the effect that he will appear before the said court on all the hearing dates without fail and in the event of filing such an application, the learned Magistrate is directed to consider the same on the same day.

6.With the said directions, the criminal original petition is disposed of.

-s/d-

Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

ssv

To,

1.The Judicial Magistrate No.I. Chengalpet.

2.The Inspector of Police,
Crime Branch CID,
Metro Wing,
Chennai-600 008.

3.The Public Prosecutor,
High Court, Madras.

सत्यमेव जयते

+2cc to Mr.T.R.Sundaram, Advocate sr.64416[26/11/2015]

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