

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.26738 of 2015

P.Gopalakrishnan

... Petitioner

Vs

The State Rep. By
Inspector of Police,
Perumanallur Police Station,
C.C.No.19 of 2006,
Tiruppur District.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the trial Court/learned Judicial Magistrate Court No.2, Tiruppur to consider the Non Bailable Warrant recall petitions to be filed by the petitioner, on his surrender on the same day on merits in connection with the case in C.C.No.19 of 2006 pending trial on the file of the Judicial Magistrate Court No.2, Tiruppur.

For Petitioner : Mr.S.Prabakar

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The petitioner seeks for a direction to the learned Judicial Magistrate Court No.2 to consider the bail petition on the same day and release him on bail in connection with the case in C.C.No.19 of 2006.

2. The petitioner is an accused for an offence punishable under Sections 279 and 304(A) IPC.

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

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 Judicial Magistrate-II and in the event of filing such an application, the learned Judicial Magistrate-II, Tiruppur is directed to consider the same and pass orders on merits and in accordance with law.

5. With the above direction, the petition is disposed of.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

vsm

To

1.Inspector of Police,
Perumanallur Police Station,
C.C.No.19 of 2006,
Tiruppur District.

2.The Public Prosecutor,
High Court, Madras.

3.The Judicial Magistrate II,
Tiruppur.

+1 cc to Mr.R.Prabhakar, Advocate, sr.60519

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