

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2015

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

CrI.O.P.No.26970 of 2015

R.Venkatesh

.. Petitioner

..VS..

1. The State Rep. By
The Inspector of Police
Sriperumpudur Police Station
Kancheepuram District

2. Mutiara Roofing Industries (P) Ltd.,
Rep. By its Account Manager
Mr.S.S.Balakrishnan
No.124, Vallam 'A' Village
Sriperumpudur Taluk
Kancheepuram District

.. Respondents

Criminal Original Petition filed under Section 482 Cr.P.C., to direct the learned District Munsif-cum-Judicial Magistrate, Sriperumpudur, Kancheepuram District to recall the N.B.W issued against the petitioner in S.T.C.No.458 of 2014.

For Petitioner : Mr.E.Kannadasan

For Respondents: Mr.Emalias
Additional Public Prosecutor

O R D E R

The petitioner seeks for a direction to the District Munsif-cum-Judicial Magistrate, Sriperumpudur, Kancheepuram District to consider the bail petition on the same day and release him on bail in S.T.C.No.458 of 2014.

2. The petitioner is an accused for an offence punishable under Section 142 r/w. 138 of the Negotiable Instruments Act, 1881.

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 Magistrate and in the event of filing such an application, the learned District Munsif-cum-Judicial Magistrate, Sriperumpudur, Kancheepuram District 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 petition is disposed of.
Gpa

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub-Assistant Registrar

To

1. The District Munsif-cum-Judicial Magistrate
Sriperumpudur, Kancheepuram District
2. The Inspector of Police
Sriperumpudur Police Station
Kancheepuram District
3. The Public Prosecutor
Madras High Court
Chennai

+1 C.C. To MR.E.Kannadasan, Advocate in SR.NO.59778

Cr1.O.P.No.26970 of 2015

VSN (CO)
sd : 19/11/2015

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