

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.28494 of 2015

Rajesh

... Petitioner/ Accused

Vs

State,
Rep. by the Inspector of Police,
Mahalingapuram Police Station,
Pollachi Taluk,
Coimbatore District. ... Respondent/Complainant.

Criminal Original Petition filed under Section 482 Cr.P.C. prayed to pass an order of direction, directing the Judicial Magistrate No.I, Pollachi to consider the application to recall the warrant on the same day on surrender of the petitioner with respect of STC.No.2018 of 2013.

For Petitioner : Mr.R.Nalliyappan

For respondent : Mr.C.Emalias,
Addl.Public Prosecutor

O R D E R

The petitioner, alleging that he has been falsely implicated by the respondent for the alleged offence punishable under Section 138 of Negotiable Instruments Act, seeks a direction to the learned Judicial Magistrate-I, Pollachi to consider the application to recall the warrant on the same day on surrender of the petitioner with respect of STC.No.2018 of 2013.

2. Heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor.

3. Considering the submissions made 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 in respect of STC.No.2018 of 2013 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 Judicial Magistrate-I, Pollachi is directed to consider the same on the same day on merits and pass appropriate orders.

4. The criminal original petition is disposed of accordingly.

vsi

s/d-
Assistant Registrar (CCC)

True Copy

Sub-Assistant Registrar

To

1. The Judicial Magistrate-I,
Pollachi.
2. Do thro"the Chief Judicial Magistrate,
Coimbatore.
3. The Inspector of Police,
Mahalingapuram Police Station,
Pollachi Taluk,
Coimbatore District.
4. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.R.Nalliyappan, Advocate SR 64398

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