

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.02.2015

CORAM:

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

CrI.O.P.No.2933 of 2015

P.S.Murugesan

... Petitioner/Accused

Vs.

1. State rep. by
The Inspector of Police,
Annadhanampatty Police Station,
Salem - 636 202.

2. K.K.Thangavel

... Respondents/Respondent/
Complainant.

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned Judicial Magistrate V, Salem to consider and recall the warrant application of petitioner on the same day in C.C.No.598 of 2013.

For Petitioner : Mr.R.Dillikumar

For Respondents: Mr.M.Maharaja for R1

Additional Public Prosecutor

ORDER

This petition is filed praying to direct the learned Judicial Magistrate V, Salem to consider and recall the warrant application of petitioner on the same day in C.C.No.598 of 2013.

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

3.It is submitted by the learned counsel for the petitioner that the petitioner is accused in C.C.No.598 of 2013 filed by the respondent/ complainant under section 138 of the N.I.Act and non-bailable warrant was issued for the appearance of the petitioner. Hence, this petition is filed seeking to recall the warrant.

4.Considering the submissions made, this Court feels that this is a fit case to recall the non-bailable warrant issued by the lower Court and accordingly, the petitioner is directed to appear in person and file a petition under Section 70(2) of Cr.P.C. for recalling the

Non-Bailable Warrant before the learned Judicial Magistrate V, Salem and in the event of filing such application, the aforesaid 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 observation, this criminal original petition is disposed of.

pri

-s/d-
Deputy Registrar (J)
Dt: 13/2/2015

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
Annadhanampatty Police Station,
Salem - 636 202.
 2. The Public Prosecutor
High Court, Madras.
 3. The Judicial Magistrate V
Salem.
- + 1 cc to M/s. R. Dillikumar, Advocate SR 6811

rsk(co)
prk24/2

Cr1.O.P.No.2933 of 2015
qw2

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