

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.29618 of 2015

A.Arunkrishnan

... Petitioner

Vs

The State

Rep by the Inspector of Police,
Thirukoilur Police Station,
Thirukoilur, Villupuram District,
Villupuram - 605 757

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. praying to pass an order of direction, directing the Judicial Magistrate, Thirukoilur to consider the recall petition for recalling the Non Bailable Warrant of the petitioner upon surrender of the petitioner on the same day in C.C.No.109 of 2015 on the file of the learned Judicial Magistrate, Thirukoilur.

For Petitioner : M/s.Nathan and Associates

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 and 142 of Negotiable Instruments Act, seeks a direction to the learned Judicial Magistrate, Thirukoilur to consider the application to recall the warrant on the same day on surrender of the petitioner with respect of C.C.No.109 of 2015.

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 C.C.No.109 of 2015 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, Thirukoilur 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.

Sd/-
Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

srn

To

1. The Judicial Magistrate,
Thirukoilur

2.The Inspector of Police,
Thirukoilur Police Station,
Thirukoilur, Villupuram District,
Villupuram - 605 757

3.The Public Prosecutor,
High Court, Madras.

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