

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH
CRL.OP.No.30184/2015

R.Varatharajan

..Petitioner/Accused

Versus

The Sub Inspector of Police
Malli Karai Police Station
Attur Taluk, Salem District.

..Respondent/Complainant

Criminal Original Petition filed under section 482 Cr.P.C., to direct the learned Judicial Magistrate [FTC] Judicial magistrate level, Attur, Salem District to consider the application to recall the warrant on the same day of surrender of the petitioner with respect of STC No.80/2012 respectively.

For Petitioner : Mr.P.Ganapathy

For Respondent: Mr.C.Emalias, APP

ORDER

Petitioner has come up with the present petition seeking a direction to the learned Judicial Magistrate, Attur, Salem District to consider the application to recall the warrant on the same day of surrender with respect to STC No.80 of 2012.

2.Learned Additional Public Prosecutor appearing for the respondent would submit that in a private complaint filed under Section 138 of the Negotiable Instruments Act, a non-bailable warrant was issued since he had not attended the Court on the hearing dates.

3. Since Non-bailable warrant was issued in a private complaint filed against this petitioner, this Court is not inclined to give direction to the Judicial Magistrate as prayed for. Hence, the Criminal Original Petition is dismissed. However, the petitioner is at liberty to approach the concerned Court to recall the Non-bailable warrant.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The Sub Inspector of Police
Malli Karai Police Station
Attur Taluk, Salem District.

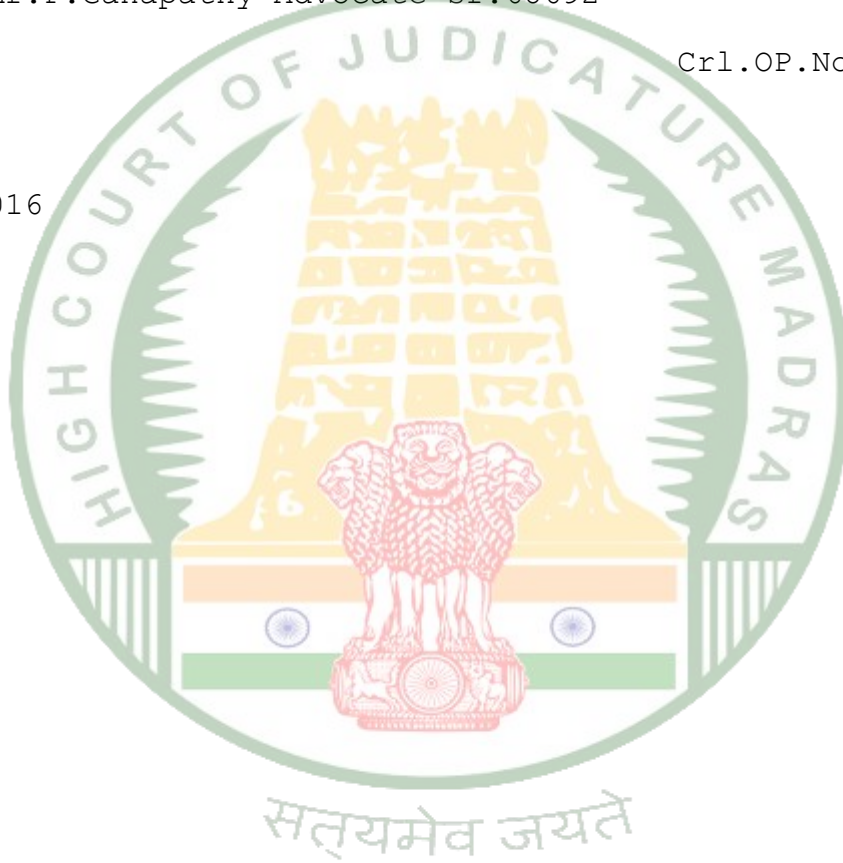
2.The Public Prosecutor, High Court, Madras.

3.The Judicial Magistrate
Attur, Salem

+1 cc to Mr.P.Ganapathy Advocate sr.68692

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