

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.02.2015

CORAM:

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

CrI.O.P.No.3155 of 2015

R.Kalaimani

... Petitioner/Accused

Vs.

State rep. by

Inspector of Police,

B-2 Police Station (L & O),

R.S.Puram, Coimbatore.

... Respondent/Complainant

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the Judicial Magistrate - I, Coimbatore to consider the non bailable warrant re-call petition and dispose the same on the same day itself pending trial in S.T.C.No.628 of 2007 on the file of the Judicial Magistrate - I, Coimbatore.

For Petitioner : Mr.S.Venkatesh

For Respondent : Mr.M.Maharaja

Additional Public Prosecutor

ORDER

This petition is filed praying to direct the learned Judicial Magistrate - I, Coimbatore to consider and recall the warrant application of petitioner on the same day in S.T.C.No.628 of 2007.

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 S.T.C.No.628 of 2007 filed by the respondent/ complainant under section 138 of the Negotiable Instruments 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 - I, Coimbatore 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.

Sd /-
Assistant Registrar

//True Copy//

Sub-Assistant Registrar

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To

1.The Inspector of Police,
B-2 Police Station (L & O),
R.S.Puram, Coimbatore.

2.The Public Prosecutor
High Court, Madras.

3 The Judicial Magistrate
No.I, Coimbatore

+ 1 C.C. TO MR.S.Venkatesh Advocate Sr.7383

Cr1.O.P.No.3155 of 2015

MSM[CO]
KS 21/02/2015

सत्यमेव जयते

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