



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 09.06.2015

WEB COPY

CORAM
THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Crl.O.P.(MD)No.10145 of 2015

1.Ilayaraja
2.Arumugam
3.Marikannu
4.Mani @ Palanivel ... Petitioners/Accused NO.1 to 4

Vs.

State rep by
The Inspector of Police,
All Women Police Station,
Keeranoor,
Pudukkottai District.
(Crime No.7 of 2013)

... Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure to direct the learned Special Judge, Mahila Court, Pudukkottai to consider the recall warrant application in Spl.S.C.No.4 of 2014 on the file of Spl. Judge, Mahila Court, Pudukkottai on the same day of surrender of petitioners/accused No.1 to 4.

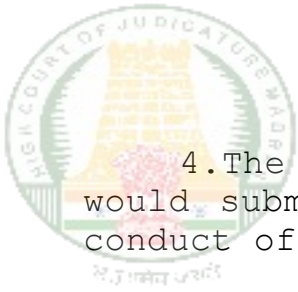
For Petitioners : Mr.P.Muthusamy
For Respondent : Mr.K.Anbarasan
Govt. Advocate (Crl.side)

O R D E R

This petition has been filed for a direction to the learned Special Judge, Mahila Court, Pudukkottai to consider the recall warrant application in Spl.S.C.No.4 of 2014 on the file of Spl. Judge, Mahila Court, Pudukkottai on the same day of surrender of petitioners/accused No.1 to 4.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) appearing for the respondents.

3.The learned counsel for the petitioners submitted that since the petitioners had not appeared before the Court on 07.05.2015, non bailable warrant was issued against them. He further submitted that the third petitioner's mother died and the petitioners were attend the funeral function, so they are not able to attend the



4.The learned Government Advocate (Crl.side) on instruction would submit that the petitioners are not co-operating with the conduct of the trial.

5.Considering the submissions made by the learned Government Advocate (crl.side), this Court is inclined to give one more opportunity to the petitioners. Hence, this criminal original petition stands allowed and the petitioners are directed to file a recall petition before the learned Special Judge, Mahila Court, Pudukkottai and the learned Judge is directed to consider the recall petition filed by the petitioner on the same day on merits.

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

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To

1.The Special Judge,
Mahila Court,
Pudukkottai

2.The Inspector of Police,
All Women Police Station,
Keeranoor,
Pudukkottai District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to MR.P.MUITHUSAMY,ADVOCATE IN SR NO.29415

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RG.24.06.2015 2P/5C.