



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.12.2015

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

CRL.OP.(MD)Nos.23810 to 23812 of 2015

N.Muthupandi
S/o.Nellaiappa Thevar
South Silukkanpatti Village
Ayyanar Colony, Pudukottai
Tuticorin District

: Petitioner /Accused No.2
in all the petitions

Vs.

State through the Inspector of Police
Eppodhum Vendran Police Station,
Thoothukudi District
in Crime Nos.18, 21/2006

:1st Respondent / Complainant
in Crl.O.P.Nos.23810 & 23811/15

State through the Inspector of Police
Maasarpatti Police Station,
Thoothukudi District
(Cr.No.11/06)

: Respondent / Complainant

Common Prayer: Criminal Original Petitions are filed under Section 482 of Cr.P.C., praying to direct the learned District & Sessions Judge, Tuticorin, to accept the surrender of the petitioner and to consider the warrant recall petition on the same day in connection with C.C.Nos.21, 22 and 26 of 2008.

For Petitioner : Mr.Niranjan S Kumar
For Respondent : Mr.A.P.Balasubramani
Government Advocate(Crl. Side)

COMMON ORDER

The petitioner has come forward with these petitions seeking for a direction, directing the District & Sessions Judge, Tuticorin, to accept the surrender of the petitioner and to consider the warrant recall petition on the same day in connection with C.C.Nos.21, 22 and 26 of 2008.

2.The Government Advocate submitted that the address given by the petitioner is not permanent one. The said statement is recorded.

3. Heard both sides and perused the records.

4. Considering the facts and circumstances of the case and considering the fact that Warrant is pending against the petitioner, this Court is constrained to direct the petitioner to appear in person to file



a petition under Section 70(ii) of Cr.P.C. for recalling the warrant before the concerned Court and in the event of filing such an application/if already filed, the District & Sessions Judge, Tuticorin is directed to consider the same and pass orders on merits and in accordance with law. While accepting his surrender, the District & Sessions Judge, Tuticorin, shall take into account the statement made by the Government Advocate hereinabove.

These criminal original petitions are disposed of with the above direction.

Sd/-
Assistant Registrar (AE)

/True copy/

Sub Assistant Registrar

To

- 1.The District and Sessions Judge,
Tuticorin.
- 2.The Inspector of Police
Eppodhum Vendran Police Station,
Thoothukudi District
- 3.The Inspector of Police,
Maasarpatti Police Station,
Tuticorin
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+2 CC to Mr.Niranjan, Advocate, SR No.71684 & 71685

Order made in
CRL.OP.(MD) Nos.23810 to 23812 of 2015
Dated:-15.12.2015

RR
SH/JGB-DP:05.01.2016:2P/7C