



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.03.2015

CORAM :

THE HONOURABLE MR.JUSTICE C.T.SELVAM

CRL.OP(MD)No.4723 of 2015

1.Mr.M.Rajendran
2.Ravi @ K.Ravichandran ... Petitioners

vs.

State: Rep. by
The Inspector of Police,
Kodaikanal Police Station,
Kodaikanal,
Dindigul District. ...Respondent

PRAYER: Petition filed under Section 482 of the Criminal Procedure Code to direct the learned Judicial Magistrate, Kodaikanal, to recall the Non-Bailable Warrant pending against the petitioners, dated 05.03.2015 in C.C.No.2 of 2015 by accepting the petition filed under Section 70(2) of Cr.P.C.

For Petitioner : Mr.M.S.Govindarajan
For Respondent : Mr.K.V.Rajarajan,
Government Advocate (Crl. Side)

O R D E R

This petition has been filed under Section 482 Cr.P.C., praying for a direction to the learned Judicial Magistrate, Kodaikanal, to recall the Non-Bailable Warrant pending against the petitioners, dated 05.03.2015 in C.C.No.2 of 2015 by accepting the petition filed under Section 70(2) of Cr.P.C.

2.Heard the learned counsel for the petitioner and also the learned Government Advocate(Crl. Side) appearing for the respondent.

3.The petitioners are accused for offences punishable under Sections 499 and 500 I.P.C.

4.The learned counsel for the petitioners submits that non-bailable warrant has been issued against the petitioners since they had not appeared before the lower Court.

5.Considering the submissions made, this Court feels that this is a fit case for recall of the non-bailable warrant issued by the lower Court and accordingly, the petitioners are directed to file a petition under Section 70(2) of Cr.P.C. for recalling the Non-Bailable Warrant before the learned Magistrate and in the event of filing such an application, the learned Judicial Magistrate, Kodaikanal, is directed to consider the same and pass orders on merits on the same day and in accordance with law. It will not be necessary for the petitioners to appear in person.



With the above direction, the petition is disposed of.

Sd/-

Assistant Registrar(T&P)

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Sub- Assistant Registrar

To

1.TheJudicial Magistrate,
Kodaikanal.

2.The Inspector of Police,
Kodaikanal Police Station,
Kodaikanal,
Dindigul District.

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

+1cc to Mr.M.S.Govindarajan, Advocate in SR.No.13536

sm:30.03.2015:2P/5C

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