



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.04.2015

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Crl.O.P. (MD)No.6664 of 2015

1.R.Mohan

2.S.Balakrishnan

... Petitioners/Accused

Vs.

The State of Tamil Nadu,
Rep by its Inspector of Police,
Economic Offence Wing-II,
Dindigul

Crime No. 1 of 2014

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure to direct the Special Court to accept the explanation and take the recall application filed in C.C.No.03 of 2015 on the file of the Special Court for TNPID Cases, Madurai and recall the non bailable warrant on the same day.

For Petitioners

: Mr.K.P.S.Palanivel Rajan

For Respondent

: Mr.K.Anbarasan

Govt. Advocate (Crl.side)

O R D E R

This petition has been filed seeking a direction to the Special Court to accept the explanation and take the recall application filed in C.C.No.03 of 2015 on the file of the Special Court for TNPID Cases, Madurai.

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

3. It is submitted by the learned counsel for the petitioners that absconding charge sheet has been filed against the petitioners and the petitioners filed a petition seeking to recall Non Bailable Warrant and the same has been returned on the ground that the petitioners/A5 and A5 have not appeared in person.

4.The learned counsel would further submit that the petitioners would co-operate with the future hearings and considering the facts and circumstances of the case, appearance of the petitioners may be dispensed with and recall petition may be numbered.

5.This Court is of the view that if the petitioners have not appeared, the trial would not get completed and thus no purpose would be served. Hence, the petitioners are permitted to re-present the recall petition within a period of two weeks from the date of receipt of copy of this order and the court below is directed to number the same and pass appropriate order in accordance with out insisting the presence of the petitioners.



6. With the above direction, this petition is disposed of. Consequently, connected M.P. is closed.

Sd/-

Assistant Registrar (Per. Admn)

/True copy/

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Sub Assistant Registrar

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To

1. The Special Judge, Special Court for TNPID Cases, Madurai
2. The Inspector of Police, Economic Offence Wing-II, Dindigul
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to MR.K.P.S.PALANIVEL RAJAN, ADVOCATE IN SR NO. 19209

CRL.O.P.No.6664 of 2015
15.04.2015

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