



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 20.04.2015

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Crl.O.P.No.7117 of 2015

1.Karunakaran
2.Santha Kumar
3.Murugan
4.Prakash
5.Udaya Chandran
6.Sakthi
7.Ravi @ Ravi Chandran
8.Velpandi @ Ammu

..Petitioners/A2, A4,A8, A9,
A11, A14, A15 and A16

Vs.

The State represented by,
The Inspector of Police,
Aundipatti Police Station,
Theni District
(Crime No.500 of 2012)

..Respondent/Complainant

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code to direct the Judicial Magistrate, Aundipatti, Theni District to consider and pass orders on the petition filed under Section 70(2) of Cr.P.C. for recalling the non-bailable warrant on the same day which is filed before him in P.R.C.NO.22 of 2013 and pass such further or other orders as this Court may deem fit and proper in the circumstances of the case.

For Petitioners : Mr.R.Anand

For Respondent : Mrs.S.Prabha

Govt.Advocate (Crl.Side)

ORDER

This petition has been filed under Section 482 Cr.P.C, seeking a direction to the Judicial Magistrate, Aundipatti, Theni District to consider and pass orders on the petition filed under Section 70(2) of Cr.P.C. for recalling the non-bailable warrant on the same day which is filed before him in P.R.C.NO.22 of 2013.

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

3.The learned counsel for the petitioners submitted that on 10.03.2015 due to village temple festival conducted by the deity of the petitioners village, the petitioners were not in a position to appear before the Magistrate and hence, Non Bailable Warrant was issued. He prays that the recall petition filed under Section 70(2) Cr.P.C for recalling the Non Bailable Warrant may be considered on the same day.



4. Considering the submission made by the petitioner, the learned Judicial Magistrate, Aundipatti, Theni District is directed to consider and pass orders on the petition filed under Section 70 (2) of Cr.P.C. for recalling the non-bailable warrant on the same day which is filed before him in P.R.C.NO.22 of 2013. Accordingly, this petition is ordered.

Sd/
Assistant Registrar

/True copy/

sub Assistant Registrar(c.s)

To

1. The Judicial Magistrate, Aundipatti,
- 2.The Inspector of Police,
Aundipatti Police Station,Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/S. R.Anand, Advocate in SR.No. 20192

TS/30.04.2015/2P-5C

Cr1.O.P.No.7117 of 2015

20.04.2015