

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.12.2016

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

CrI.O.P.Nos.12229 and 12318 of 2016

C.S.Venkatesh ... Petitioner in OP.12229/16/Accused No.4
G.Jayaseelan ... Petitioner in OP.12318/16/Accused No.2

vs.

The State,
rep. by The Inspector of Police,
All Woman Police Station,
Barugur, Krishnagiri District.
(Cr.No.1 of 2006) ... Respondent in both Ops./Complainant

Prayer: Criminal Original Petitions filed under Section 482 of the Code of Criminal Procedure, praying to direct the Hon'ble Judicial Magistrate No.1, Krishnagiri to recall the Non Bailable Warrant issued against the petitioners on 30.09.2005 and 11.08.2015 respectively in C.C.No.262 of 2009.

For Petitioners: M/s.R.Radha Pandian
For Respondent : Mr.C.Emalias
Addl. Public Prosecutor

COMMON ORDER

These petitions have been filed by the petitioners seeking a direction to the Judicial Magistrate No.1, Krishnagiri, to recall the Non Bailable Warrants issued against them on 30.09.2005 and 11.08.2015 respectively in C.C.No.262 of 2009.

2.It is submitted that the petitioners were originally arrayed as A-6 and A-4 in C.C.No.295 of 2006 and subsequently, the said case was split up as in C.C.No.262 of 2009 and the petitioners were arrayed as A-4 and A-2. Since both the petitioners are working in abroad, viz., Australia and Singapore, they could not appear before the Court on 30.09.2015 and 11.08.2015 respectively, as a result of which the non-bailable warrants came to be issued against them and they are now apprehending arrest at the hands of the respondent police.

3.Learned counsel for the petitioners submitted that they are willing to surrender before the Court below and the non-bailable warrants issued against them may, thus, be recalled.

4.In view of the aforesaid submission by the learned counsel for the petitioners, the petitioners are permitted to surrender before the Court and file a petition to recall the non-bailable warrants issued against them and on such petitions being filed, the learned Judicial Magistrate No.1, Krishnagiri, shall consider the same on the same day and appropriate orders be passed accordingly.

5.With the above directions, the Criminal Original Petitions are disposed of.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

sra

To

1 The Judicial Magistrate
No.I, Krishnagiri

2 do thro The Chief Judicial magistrate
Krishnagiri District

3.The Inspector of Police,
All Woman Police Station,
Barugur, Krishnagiri District.

4.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

+2cc to M/s.R. Radha Pandian, Advocate, S.R.No.76255,76256

ug(CO)
md(19/01/2017)

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