

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.09.2016

CORAM:

THE HON'BLE MR. JUSTICE P.N. PRAKASH

Crl.O.P. No.20033 of 2016 & Crl.M.P. No.9374 of 2016

1 Alamelu

2 Jayaraman

Petitioners

vs.

Vanaja

Respondent

Criminal Original Petition filed under Section 482, Cr.P.C. seeking to set aside the order of non-bailable warrant issued against the petitioners herein dated 02.08.2016 passed in STC No.2212 of 2014 on the file of the District Munsif-cum-Judicial Magistrate, Omalur.

For petitioners
For Respondent

Mr. R. Nalliyappan
Mr. E.Emalias APP

ORDER

This Criminal Original Petition is filed seeking to set aside the order of non-bailable warrant issued against the petitioner herein dated 02.08.2016 passed in STC No.2212 of 2014 on the file of the District Munsif-cum-Judicial Magistrate, Omalur.

2 It is seen that the petitioners are facing prosecution in S.T.C. No.2212 of 2014 before the District Munsif-cum-Judicial Magistrate Court, Omalur, for offences under Section 323,427 and 147 IPC on a private complaint filed by the respondent herein.

3 The learned counsel for the petitioners submitted that the petitioners have filed Crl.O.P. No.7338 of 2015 for quashing the prosecution in S.T.C. No.2212 of 2014 and this Court, by order dated 25.03.2015, has dispensed with the presence of the petitioners before the Trial Court, despite which, on 02.08.2016, the Trial Court has issued Non Bailable Warrants for their non appearance and therefore, the petitioners are before

this Court for quashing the Non Bailable Warrants issued by the Trial Court.

4 In the facts and circumstances of the case, this Court directs the petitioner to surrender before the Trial Court within a period of two weeks from the date of receipt of a copy of this order and on such surrender, Non Bailable Warrants issued to the petitioners, shall be recalled on the same day. The petitioners shall also furnish bond for Rs.5,000/- for two sureties to the satisfaction of the District Munsif-cum-Judicial Magistrate, Omalur, under Section 88 Cr.P.C.

With the above directions, this Criminal Original Petition is closed. Connected CrI.M.P. is also closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

cad
To

- 1 The District Munsif-cum-Judicial Magistrate,
Omalar
- 2 The Public Prosecutor
Madras High Court, Chennai 600 104

+1 cc to Mr.R.Nalliyappan Advocate sr 50242

CrI.O.P. No.20033/2016

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