

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.09.2016

CORAM

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

CrI.O.P. No.21488 of 2016

G. Ravikumar

Petitioner

vs.

1 The State represented by
the Inspector of Police
J-5 Sastri Nagar Police Station
Chennai

2 Dr. S. Rajagopal

Respondents

Criminal Original Petition filed under Section 482, Cr.P.C. seeking to recall the non-bailable warrant issued by the IV Metropolitan Magistrate, Saidapet, Chennai - 15 in C.C. No.2716 of 2016 against the petitioner.

For petitioner Ms. D. Hari Priya
For R1 Mr. C. Emalias
Addl. Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking to recall the non-bailable warrant issued by the IV Metropolitan Magistrate, Saidapet, Chennai - 15 in C.C. No.2716 of 2016 against the petitioner.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

3. It is seen that the petitioner is facing prosecution in C.C.No.2716 of 2016 before the IV Metropolitan Magistrate, Saidapet, Chennai, for an offence u/s 138 of the Negotiable Instruments Act. On 30.08.2016, the petitioner did not appear before the trial Court and a petition u/s 317 Cr.P.C. was filed and allowed with a specific direction to appear on 02.09.2016. On 02.09.2016, the petitioner neither appeared nor his counsel appeared, resulting in the trial Court issuing a Non-Bailable Warrant. The petitioner is before this Court for recalling the Non-Bailable Warrant.

4. Taking into consideration the facts and circumstances of the case, this Court directs the petitioner to surrender before the IV Metropolitan Magistrate, Saidapet, Chennai

within one week from the date of receipt of a copy of this order and on such surrender, the warrant shall be recalled and the petitioner shall be enlarged on bail u/s 436 Cr.P.C. on he furnishing a bond for Rs.10,000/- with two sureties to the satisfaction of the learned Magistrate with a further undertaking that he shall regularly appear before the trial Court and not adopt any dilatory tactics. If thereafter the petitioner absconds, the trial Court shall direct the registration of an FIR against him u/s 229-A IPC.

With the above direction, this petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

gms
To

- 1 The IV Metropolitan Magistrate, Saidapet, Chennai - 15
 2. -do- Thro' Cheif Metropolitan Magistrate, Chennai.
 3. The Inspector of Police,
J-5 Sastri Nagar Police, Chennai.
 - 4 The Public Prosecutor, High Court, Madras.
- + 1 cc to MR. D. Sethilkumar, Advocate SR.54653

Cr1.O.P. No.21488 of 2016

EU 07.10.16

सत्यमेव जयते

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