



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.09.2016

CORAM

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P.(MD) No.18243 of 2016

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Selvam

.. Petitioner/Sole accused

Vs

State through

The Sub Inspector of Police,
Kudalpudur Police Station,
Madurai.

(In Crime No.147 of 2002)

.. Respondent/Respondent

Prayer: Petition filed under Section 482 of Code of Criminal Procedure to consider to recall the warrant petition under Section 70(2) of Cr.P.C. on the same day of its presentation in C.C.No.461 of 2003 on the file of the learned Judicial Magistrate No.IV, Madurai in Crime No.147 of 2002 on the file of the respondent police.

For Petitioner

: Mr.N.Mohamed Asif

For Respondent

: Mr.K.Anbarasan

Government Advocate (Crl. Side)

O R D E R

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Section 304(A) IPC, in C.C.No.461 of 2003, on the file of the learned Judicial Magistrate No.IV, Madurai, seeks to consider his Warrant recall Petition on the same day.

2.It is submitted by the learned counsel for the petitioner that due to the absence of the petitioner, non bailable warrant was issued against the petitioner on 21.04.2016 by the learned Judicial Magistrate No.IV, Madurai.

3.The learned Government Advocate (Crl. Side) submitted that due to absence of the petitioner for one hearing, non bailable warrant was issued against the petitioner and the petitioner may be directed to approach the Court for recalling the warrant.

4.Considering the fact that non bailable warrant was issued against the petitioner for his absence, there shall be a direction, directing the petitioner to surrender before the learned Judicial Magistrate No.IV, Madurai, and to file a petition for recalling the warrant and the learned Judicial Magistrate No.IV, Madurai, is directed to consider the same on the same day and pass orders on merits and in accordance with law.



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5. Accordingly, this petition is disposed of.

Sd/-
Assistant Registrar

/True Copy/

Sub-Assistant Registrar

To

1.The Sub Inspector of Police,Kudalpudur Police Station,
Madurai.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+One cc to Mr.K.Samudurai, Advocate, SR.No.55785

PJL
RL/4C/2P/DB/SARI/7.10.2016

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