



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.02.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD) No.1970 of 2016

Valivittan

... Petitioner/Accused No.9

vs.

The Inspector of Police
Kamuthi Police Station
Ramanathapuram District
(Crime No.287 / 2005)

... Respondent/Complainant

PRAYER: This petition is preferred under Section 482 Cr.P.C., to direct the learned Sub Court-cum-Assistant Session Court, Paramakudi, to consider his recall warrant application on the basis of NBW issued on 23.01.2013, in S.C.No.104 of 2008, on the same day of surrender.

For Petitioner : Mr.A.Uthayakumar

For Respondent : Mr.C.Mayil Vahana Rajendran
Additional Public Prosecutor

O R D E R

The petitioner has filed this criminal original petition, under Section 482 of the Code of Criminal Procedure, seeking direction upon the learned Sub Judge-cum-Assistant Sessions Judge, Paramakudi, to consider his application to recall the non-bailable warrant issued, on 23.01.2013, in S.C.No.104 of 2008, on the same day of surrender.

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

3. Taking into consideration the fact that the petitioner has gone abroad for employment purpose, this Court is of the view that he is entitled to the relief sought for. Therefore, the petitioner is directed to surrender himself before the learned Sub Judge-cum-Assistant Sessions Judge, Paramakudi, and to file application to recall the non-bailable warrant issued, on 23.01.2013, in S.C.No.104 of 2008. In the event of the petitioner filing such application, the learned Trial Judge is



directed to consider the same on the same day in accordance with law.

4. With the above observation, this criminal original petition is disposed of.

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Sd/-
Assistant Registrar(R)

/True Copy/

Sub Assistant Registrar.

To

- 1.The Sub Judge-cum-
Assistant Sessions Judge,
Paramakudi.
- 2.The Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.A.Uthaya Kumar, Advocate, SR.No. 6892.

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AM/11.02.2016/SK.SKN/SAR-I/2P/5C