



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.12.2016

CORAM:

THE HONOURABLE Mr. JUSTICE R. MAHADEVAN

Crl.O.P. (MD) No.24109 of 2016

Katturaja ... Petitioner/Sole Accused

Vs.

1.The Deputy Superintendent of Police,
Devakottai, Sivagangai District.

2.The Inspector of Police,
Devakottai Taluk Police Station,
Sivagangai District.

(Crime No.39 of 2008)

... Respondents/Complainant

PRAYER: Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the learned Sessions Judge cum P.C.R. Court, Sivagangai to accept the surrender of the petitioner and to consider the recall warrant petition filed under Section 70(2) of Cr.P.C.on the same day in S.C.No.246 of 2009.

For Petitioner : Mr.S.M.Sanjay

For Respondents : Mr.P.Kandasamy,

Government Advocate (Crl. Side)

O R D E R

The petitioner has come forward with the present Criminal Original petition to direct the learned Sessions Judge cum P.C.R. Court, Sivagnagai to accept the surrender of the petitioner and to consider the recall warrant petition filed under Section 70(2) of Cr.P.C.on the same day in S.C.No.246 of 2009.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) appearing for the respondent.

3.Learned counsel for the petitioner submits that the petitioner could not appear before the trial Court on 21.08.2015 and therefore, a Non Bailable Warrant was issued by the learned Magistrate against the petitioner. Learned counsel for the petitioner further submits that the petitioner undertakes to appear before the Court concerned.

4.Considering the submissions made by the learned counsel for the petitioner, the petitioner is directed to appear before the learned Sessions Judge cum P.C.R.Court, Sivagangai, within



ten days from the date of receipt of a copy of this order and also to file an application under Section 70(2) of Cr.P.C, to recall the warrant and if so moved, the Sessions Judge cum P.C.R.Court, Sivagangai is directed to consider the same on merits on the very same day and pass necessary orders.

5.With the above observation, this Criminal Original Petition is closed.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1.The Sessions Judge cum P.C.R.Court, Sivagangai.

2.The Deputy Superintendent of Police,
Devakottai, Sivagangai District.

3.The Inspector of Police,
Devakottai Taluk Police Station,
Sivagangai District.

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

+1cc to Mr.S.M.Sanjay, Advocate in SR No.83726

Cr1.O.P. (MD)No.24109 of 2016

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