



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.01.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Cr1.O.P(MD)No.740 of 2016

Ramar

: Petitioner

Vs.

The State represented through
The Inspector of Police,
Mandalamanickam Police Station,
Ramanthapuram
(Crime No.52/2008)

: Respondent

PRAYER: Criminal Original Petition is filed under Section 482 Cr.P.C., praying to direct the District Munsif cum Judicial Magistrate, Kamuthi, to consider the petitioner recall application on the date of his surrender in respect of PRC No.07 of 2009 on the file of District Munsif cum Judicial Magistrate, Kamuthi and pass orders on the very same day.

For Petitioners : Mr.M.Kaliraj

For Respondents: Mrs.S.Prabha
Government Advocate (CrI.Side).

O R D E R

The petitioner, who apprehends arrest for the offences punishable under Sections 323, 355 and 506(ii) of IPC., r/w Section 3(1-a) and 3(1-b) of SC/ST Act, on the file of the respondent police, in Crime No.52 of 2008, moved this petition seeking a direction to the District Munsif cum Judicial Magistrate, Kamuthi, to consider the petitioner's recall application on the date of his surrender in respect of PRC.No.07 of 2009, on the very same day.

2.The counsel appearing for the petitioner submitted that a Non-bailable warrant is pending against the petitioner and now, he is ready and willing to surrender and file a recall warrant petition before the District Munsif cum Judicial Magistrate, Kamuthi, and the same may be ordered to be considered on the same day.

3.Heard the submissions and perused the records.

4.The Government Advocate (Criminal side) opposed the relief sought for by the petitioner.

5.Though the offences complained of are grave in nature, considering the facts and circumstances, the(*) **District Munsif cum Judicial Magistrate, Kamuthi** is expected to consider the recall warrant



application, if any filed by the petitioner, on the same day, on merits and in accordance with law.

6. Accordingly, this Criminal Original Petition is ordered.

**(*) TWO WEEKS TIME IS EXTENDED TO SURRENDER
FROM THE DATE OF RECEIPT OF THIS AMENDED
COPY OF THE ORDER.**

Sd/-
Assistant Registrar(R)

**(*) ORDER IS AMENDED AS PER ORDER
DATED 4/2/2016 BY PNPJ UNDER
THE CAPTION OF "BEING MENTIONED"**

/True Copy/

Sub Assistant Registrar

To

(*) AMENDED ORDER TO GO IN THE ORDER ALREADY DESPATCHED ON 28/1/2016

1. The District Munsif cum Judicial Magistrate,
Kamuthi.

2. The Inspector of Police,
Mandalamanickam Police Station,
Ramanthapuram

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

+1cc to Mr.M.Kaliraj, Advocate SR.No.2886

akm/28.01.2016/ 2p- 5c/AAL/MPA
RL/5C/AAL/MPA/12/2/2016

ORDER MADE IN
Crl.O.P(MD)No.740 of 2016
18.01.2016