



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.06.2016

CORAM:

THE HONOURABLE Dr.JUSTICE S.VIMALA

Crl.O.P. (MD) .No.9920 of 2016

K.Mohammed Maraikayar

..Petitioner

Vs.

1.The Inspector of Police,
Vadakarai Police Station,
Periyakulam, Theni.

2.M.Johnba Sahib

..Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the Judicial Magistrate, Periyakulam to consider the petition to be filed by the petitioner to recall the non bailable warrant in connection with STC.No.1438 of 2014 on the same day.

For Petitioner

: Mr.D.Sadiq Raja

For 1st Respondent

: Mr.K.V.Rajarajan

Government Advocate (Criminal side)

ORDER

It is an application seeking a direction to the Judicial Magistrate, Periyakulam to consider the application to be filed by the petitioner to recall the non bailable warrant in connection with STC.No.1438 of 2014 on the same day.

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

3.It is represented by the learned counsel for the petitioner that due to unavoidable circumstances, the Court was not in a position to receive the petition filed under Section 317 Cr.P.C., and that is how non bailable warrant came to be issued against the petitioner herein. It is also represented that the petitioner is very consistent and regular in appearing before the Court below on all hearings and on account of illness, he was not in a position to appear before the Court on the day when non bailable warrant was issued. There is also an assurance that without any delay, the petitioner will appear before the lower Court and to co-operate with the speedy disposal of STC No.1438 of 2014.

4.Under such circumstances, the Judicial Magistrate, Periyakulam is directed to consider the application to be filed by the petitioner to recall the warrant on the same day and to pass orders.



5. With the above direction, this petition is disposed of.
Sd/-

Assistant Registrar(CS-I)

/True Copy/

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Sub Assistant Registrar(CS)
Madurai Bench of Madras High Court,
Madurai-23.

To

1. The Judicial Magistrate, Periyakulam.

2. The Inspector of Police, Vadakarai Police Station,
Periyakulam,
Theni.

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

+1cc to Mr.D.Sadiq Raja, Advocate in SR.32893

CrI.O.P(MD)No.9920 of 2016
24.06.2016

MJ

PBK/SK-SKN/SAR-II 01.07.2016 ::2P-5C:(IT)