



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2017

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THE HON'BLE MR.JUSTICE M.V.MURALIDARAN

Crl.O.P.(MD) No.13071 of 2017

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... Petitioner

-Vs-

1.State represented by,
The Assistant Commissioner of Police,
Palayamkottai (L & O),
Tirunelveli City.

2.The Inspector of Police,
Law and Order,
Palayamkottai (L & O),
Tirunelveli City.
(Crime No.196 of 2017)

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, praying to set aside the non-bailable warrant dated 24.05.2017 issued against the petitioner by the learned Judicial Magistrate No.I, Tirunelveli in P.R.C.No.26 of 2017 now the case is pending in S.C.No.93 of 2017 on the file of the II Additional Sessions Judge, Tirunelveli.

For Petitioner : Mr.S.Balaji
For Respondents : Mr.K.Anbarasan,
Government Advocate (Crl.side)

O R D E R

This Criminal Original petition has been filed seeking to set aside the non-bailable warrant dated 24.05.2017 issued, against the petitioner by the learned Judicial Magistrate No.I, Tirunelveli in P.R.C.No.26 of 2017, which case is now pending in S.C.No.93 of 2017 on the file of the II Additional Sessions Judge, Tirunelveli.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Criminal side) appearing for the respondents.

3.This petition seeking to set aside the non-bailable warrant is not maintainable. Any how, in order to give an opportunity to the petitioner to participate in the trial, this Court is inclined to recall the warrant dated 24.05.2017.



4. Accordingly, the non-bailable warrant dated 24.05.2017, issued against the petitioner by the learned Judicial Magistrate No.I, Tirunelveli in P.R.C.No.26 of 2017, which case is now pending in S.C.No.93 of 2017 on the file of the II Additional Sessions Judge, Tirunelveli is recalled. The petitioner is directed to appear before the II Additional Session Judge, Tirunelveli in connection with S.C.No.93 of 2017 within a period of two weeks from the date of receipt of a copy of this order.

5. Accordingly, the Criminal Original petition is disposed of.

Sd/-
Vacation Officer

/True Copy/

Sub Assistant Registrar

To

- 1.The II Additional Sessions Judge,
Tirunelveli.
- 2.The Judicial Magistrate No.I,
Tirunelveli.
- 3.The Assistant Commissioner of Police,
Palayamkottai (L & O),
Tirunelveli City.
- 4.The Inspector of Police,
Law and Order,
Palayamkottai (L & O),
Tirunelveli City.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.S.Balaji, Advocate SR.No. 81272

CrI.O.P. (MD) No.13071 of 2017
27.09.2017

sj
JM/SKN RSK/SAR 1/28.09.2017/2P/7C