



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.OP.(MD).No.15937 of 2017

S.Seenivasan

... Petitioner/Sole Accused

Vs.

State represented by,
The Inspector of Police,
Thuraiyur Police Station,
Trichy District.

... Respondent/Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the learned Judicial Magistrate, Thuraiyur, Trichy District, to consider the recall petition to be filed by the petitioner and to accept the same on the same day.

For Petitioner	: Mr.K.Mathan
For Respondent	: Mr.K.S.Durai Pandiyan, Additional Public Prosecutor.

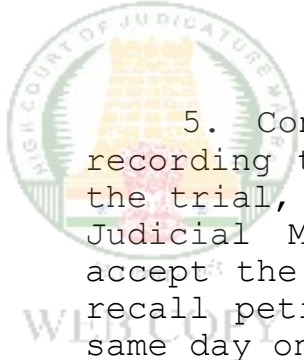
ORDER

This Criminal Original petition is filed for issuing a direction to the learned Judicial Magistrate, Thuraiyur, Trichy District, to consider the recall petition to be filed by the petitioner and to accept the same on the same day.

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

3. It is stated that the petitioner is the sole accused in S.T.C.No.290 of 2017 on the file of the learned Judicial Magistrate, Thuraiyur, Trichy District, for the alleged offence under Section 138 of Negotiable Instruments Act.

4. The petitioner states that for non-appearance of the petitioner, Non Bailable Warrant was issued by the learned Judicial Magistrate, Thuraiyur, Trichy District, on 16.11.2017. It is also stated that due to ill-health, the petitioner could not appear before the Court on the said date. It is further stated that the petitioner would co-operate with the trial.



5. Considering the facts and circumstances of the case and recording the undertaking that the petitioner would co-operate with the trial, the Criminal Original petition is allowed and the learned Judicial Magistrate, Thuraiyur, Trichy District, is directed to accept the surrender of the petitioner and to consider his warrant recall petition to be filed under Section 70(2) of Cr.P.C., on the same day on merits in S.T.C.No.290 of 2017.

Sd/-

Assistant Registrar (AD-I)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate,
Thuraiyur, Trichy District.
2. The Inspector of Police,
Thuraiyur Police Station,
Trichy District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.K.MATHAN, ADVOCATE IN SR No. 88982

PMU

TE/KP/SAR-4 : 07/12/2017 : 2P/5C

Cr1.O.P. (MD) .No.15937 of 2017
22.11.2017