



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.11.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD)No.16076 of 2017

Jeyakumar

... Petitioner

-Vs-

1. State represented by
Inspector of Police,
Ilyankudi Police Station,
Sivagangai District.

2.Latha @ Latha Devi

... Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the Learned Judicial Magistrate Court, Ilayankudi to recall the N.B.W., issued against the petitioner on 28.04.2015 in C.C.No.49 of 2014.

For Petitioner : Mr.S.Veeranasamy

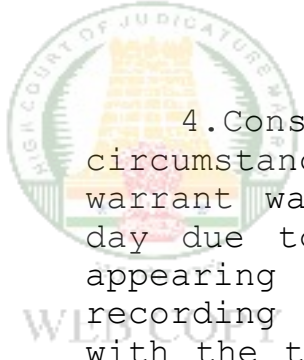
For R1 : Mr.K.S.Duraipandian,
Additional Public Prosecutor

O R D E R

This Criminal Original Petition is filed for issuing a direction to the learned Judicial Magistrate, Ilayankudi, to accept the surrender of the petitioner and to consider his warrant recall petition under Section 70(2) of Cr.P.C., on the same day on merits in C.C.No.49 of 2014 on the file of the learned Judicial Magistrate, Ilayankudi.

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

3.It is stated that the petitioners are the accused in C.C.No.49 of 2014 on the file of the learned Judicial Magistrate, Ilayankudi, for the alleged offences under Sections 406, 498(A) of



4. Considering the material facts and the facts and circumstances of the case, this Court is convinced that the warrant was issued, when the petitioner could not appear on that day due to unavoidable circumstances and that they were always appearing before the Court on all earlier occasions. Hence, recording the undertaking that the petitioner would co-operate with the trial, the Criminal Original Petition is allowed and the learned Judicial Magistrate, Ilayankudi, is directed to accept the surrender of the petitioner and to consider his warrant recall petition filed under Section 70(2) of Cr.P.C., on the same day on merits.

Sd/-
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate,
Ilayankudi, Sivagangai District.
2. The Chief Judicial Magistrate,
Ilayankudi, Sivagangai District.
3. The Inspector of Police,
Ilyankudi Police Station,
Sivagangai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+ 1 cc TO Mr.S.Veeranasamy , Advocate in SR No. 88920

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AE/MR KKR/SAR2/12.12.2017/2P/6C

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