



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.11.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.OP.(MD).No.16136 of 2017

1. Vasan Health Care Pvt. Ltd.,
Represented by its Chairman & M.D.,
Dr.A.M.Arun,
No.15A, Main Road, 1st Cross,
Thillai Nagar, Trichy - 18. . . 1st Petitioner/Accused No.2
2. Dr.Meera Arun . . . 2nd Petitioner/Accused No.3

Vs.

Income Tax Department,
Office of the Commissioner of Income Tax(TDS),
Coimbatore, Represented by,
The Deputy Commissioner of Income Tax,
TDS Circle, Madurai. . . Respondent/Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to consider the Recall Warrant petition filed by the petitioners to recall the Non Bailable Warrant issued in C.C.No.122 of 2017, dated 02.11.2017 on the file of the learned Judicial Magistrate No.I, Thiruchirappalli, on the same day.

For Petitioners : Mr.I.Arockia Selvaraj

For Respondent : M/s.Srimathy

ORDER

This Criminal Original petition is filed for issuing a direction to consider the Recall Warrant petition filed by the petitioners to recall the Non Bailable Warrant issued in C.C.No.122 of 2017, dated 02.11.2017 on the file of the learned Judicial Magistrate No.I, Thiruchirappalli, on the same day.

2. Heard the learned counsel appearing for the petitioners and the learned counsel appearing for the respondent

<https://hcservices.ecourts.gov.in/hcservices/>

3. The petitioners are accused Nos.2 and 3 in C.C.No.122 of



2017 on the file of the learned Judicial Magistrate No.I, Thiruchirappalli, for the alleged offences under Sections 276(B) r/2 278 of the Income Tax Act 1961.

4. The petitioner states that for non-appearance of the petitioners, Non Bailable Warrant was issued by the learned Judicial Magistrate No.I, Thiruchirappalli, on 02.11.2017. It is further stated that the petitioners would co-operate with the trial.

5. Considering the facts and circumstances of the case and recording the undertaking that the petitioners would co-operate with the trial, the Criminal Original petition is allowed and the petitioners are directed to surrender before the trial Court within a period of two weeks from the date of receipt of a copy of this order and on such surrender, the learned Judicial Magistrate No.I, Thiruchirappalli, is directed to accept the surrender of the petitioners and to consider their warrant recall petition filed under Section 70(2) of Cr.P.C., on the same day on merits in C.C.No.122 of 2017.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate No.I,
Thiruchirappalli.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+ 1 cc TO M/s.S.Srimathy , Advocate in SR No. 89244
+ 1 cc TO Mr.I.Arockia Selvaraj , Advocate in SR No. 89332

pmu

AE/SV MMS/SAR3/05.12.2017/2P/5C

CrI.O.P. (MD) .No.16136 of 2017
24.11.2017