



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.OP. (MD) .No.17046 of 2017

V.Sahaya Babitha @ Bavithra

... Petitioner

Vs.

State represented by,
The Sub Inspector of Police,
District Crime Branch,
Dindigul District.
(Crime No.24 of 2011)

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to recall the Non Bailable Warrant issued in C.C.No.275 of 2013 by the learned Judicial Magistrate No.II, Dindigul, Dindigul District, pending execution by the respondent police.

For Petitioner : Mr.G.Vairam Santhosh

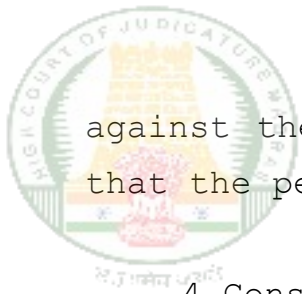
For Respondent : Mr.K.S.Durai Pandiyan,
Additional Public Prosecutor.

ORDER

This Criminal Original petition is filed for issuing a direction to the learned Judicial Magistrate No.II, Dindigul, Dindigul District, to recall the Non Bailable Warrant issued in C.C.No.275 of 2013.

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 accused in C.C.No.275 of 2013 on the file of the learned Judicial Magistrate No.II, Dindigul District. It is further stated that the petitioner could not attend the Court on 27.09.2017, due to unavoidable circumstances and that therefore, non bailable warrant was issued



against the petitioner. It is in these circumstances, it is stated that the petitioner was constrained to file this petition.

4. Considering the facts and circumstances of this case, this Court is inclined to allow this petition subject to terms. Hence, the Criminal Original petition is allowed subject to condition that the petitioner shall deposit a sum of Rs.2,000/- (Rupees Two Thousand only) towards costs to the credit of Hon'ble Chief Justice Relief Fund, Madurai Bench of Madras High Court, Madurai, within a period of two weeks from the date of receipt of a copy of this order and the learned Judicial Magistrate No.II, Dindigul District, is directed to accept the surrender of the petitioner and to consider the warrant recall petition to be filed by the petitioner on the same day on merits in C.C.No.275 of 2013.

sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate No.II, Dindigul,
2. The Sub Inspector of Police,
District Crime Branch, Dindigul District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

The Section Officer,
Accounts Section,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.G.V.VAIRAM SANTHOSH, Advocate SR.No.92283.

Cr1.O.P. (MD) .No.17046 of 2017
12.12.2017