



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.05.2017

CORAM:

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

Crl.O.P.(MD) Nos.6098 & 6218 of 2017

J.Raju

... Petitioner/Accused
in both the Crl.O.Ps.

Vs.

State rep. by
The Inspector of Police,
Thuckalay Police Station,
Kanyakumari District.

... Respondent
in both the Crl.O.Ps.

Prayer in both the Crl.O.Ps.: Petitions filed under Section 482 of Code of Criminal Procedure, to direct the learned Judicial Magistrate No.II, Kuzhithurai, Kanyakumari District, to consider the petitioner's re-call petition under Section 70(2) of Cr.P.C. on the same day itself as against the Non Bailable Warrant issued in C.C.No.84 of 2007 and S.T.C.No.820 of 2007, dated 10.04.2017.

For Petitioner : Mr.M.Sankar
(in both the Crl.O.Ps.)

For Respondent : Mrs.S.Prabha, G.A.(Crl.side)
(in both the Crl.O.Ps.)

C O M M O N O R D E R

The petitioner has come forward with these petitions praying to direct the learned Judicial Magistrate No.II, Kuzhithurai, Kanyakumari District, to consider the petitioner's re-call petition under Section 70(2) of Cr.P.C. on the same day itself as against the Non Bailable Warrant issued in C.C.No.84 of 2007 and S.T.C.No.820 of 2007, dated 10.04.2017.

2.The learned counsel appearing for the petitioner would submit that since the petitioner, who has been shown as accused in C.C.No.84 of 2007 and S.T.C.No.820 of 2007, has not appeared before the Court for one hearing, NBW was issued against him and therefore, the petitioner has come forward with these applications for the relief as stated supra.



3. Heard the learned Government Advocate (Crl. side).

4. Considering the facts and circumstances of the case, the learned Judicial Magistrate No.II, Kuzhithurai, Kanyakumari District, is directed to consider the petitioner's re-call petitions under Section 70(2) of Cr.P.C. on the same day and accordingly, these petitions are allowed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate No.II,
Kuzhithurai,
Kanyakumari District.
2. The Inspector of Police,
Thuckalay Police Station,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 2 CC TO Mr.M.SANKAR, ADVOCATE IN SR No. 56888, 56889

SMN

TE/MMS/SAR-III : 29/05/2017 : 2P/6C

COMMON ORDER MADE IN
Crl.O.P.(MD)Nos.6098 & 6218 of 2017
18.05.2017