

**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) No.6189 of 2017**

J.Raju

... Petitioner / Accused

Vs.

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

... Respondent

Prayer: Petition filed under Section 482 of Code of Criminal Procedure, to direct the learned Judicial Magistrate NO.II, Kuzhithurai, Kanyakumari District to consider the petitioners recall petition under section 70(2) of Cr.P.C. on the same day itself as against the Non Bailable Warrant issued in STC.No.1060 of 2007 dated 10.04.2017.

For Petitioner : Mr.M.Sankar

For Respondent : Mr.K.Anbarasan, G.A.(Crl.side)

ORDER

The petitioner has come forward with this petition praying to direct the learned Judicial Magistrate NO.II, Kuzhithurai, Kanyakumari District to consider the petitioners recall petition under section 70(2) of Cr.P.C. on the same day itself as against the Non Bailable Warrant issued in STC.No.1060 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 S.T.C.No.1060 of 2007, has not appeared before the Court for one hearing, NBW was issued against him and therefore the petitioner has come forward with this application 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 recall petition under section 70(2) of Cr.P.C. on the same day and accordingly this petition is allowed.

Sd/-

Assistant Registrar

/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.

+1 CC to Mr.M.SANKAR, Advocate, SR No. 56890

SMN

PSM/RSK/SAR1/31.05.2017/2P/5C

ORDER MADE IN
Cr1.O.P. (MD) No. 6189 of 2017
18.05.2017