



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 04.07.2017

Coram

THE HON'BLE MR.JUSTICE S.S.SUNDAR

Crl.O.P. (MD) No.8308 of 2017

1. Gomathi

2. Vicky @ Vigneswaran

... Petitioners/A1 and A3

-Vs-

The Inspector of Police,
E-1, K.Pudur Police Station, (Law and Order)
Madurai.

(Crime No.1408 of 2016)

... Respondent/Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the Additional Mahila Court, Madurai to consider the petition to be filed under section 70(2) Cr.P.C on the same day of filing to recall the non-bailable warrant issued against the petitioners on 15.06.2017 in C.C.No.378 of 2016, on the file of the learned Additional Mahila Court, Madurai.

For Petitioners : Ms.K.Malathi

For Respondents : Mr.K.Anbarasan

Government Advocate (Crl.Side)

O R D E R

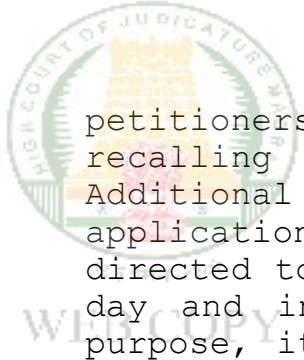
The first petitioner, who is a 68 years old lady, filed this petition seeking a direction to the Additional Mahila Court, Madurai to consider the petition filed under section 70(2) Cr.P.C on the same day of filing to recall the non-bailable warrant issued against the petitioners on 15.06.2017 in C.C.No.378 of 2016, pending on his file.

2.The petitioners are accused for offences punishable under Sections 294(B), 506(I) and Section 4 of Tamilnadu Women Prohibition of Harassment of Women.

3.The learned counsel for the petitioners submits that non-bailable warrant has been issued against the petitioners since they had not appeared before the Court below on 15.06.2017.

<https://heservices.courts.gov.in/Heservices/>

4.Considering the submissions made, this Court direct the



petitioners to file a petition under Section 70(2) of Cr.P.C. for recalling the Non-Bailable Warrant before the learned Judge, Additional Mahila Court, Madurai and in the event of filing such an application, the learned Judge, Additional Mahila Court, Madurai is directed to consider the same and pass orders on merits on the same day and in accordance with law. It may be noted that for such purpose, it will not be necessary for the petitioners to appear in person before the lower Court.

5. With the above direction, the petition is allowed. The petitioners shall avail the opportunity provided under this order within a period of two weeks from the date of receipt from the date of receipt of a copy of this order.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The Additional Mahila Judge, Madurai.
2. The Inspector of Police,
E-1 K.Pudur Police Station, (Law and Order)
Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

PJL
TE/SV/SAR-IV : 13/07/2017 : 2P/4C

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