



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.08.2017

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THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Cr1.R.C(MD).No.594 of 2017

N.Venkatachalam

... Petitioner

-Vs-

1.The Sub-Inspector of Police,
K.K.Nagar Police Station,
Trichy City.

2.Sri Parkunnan

... Respondents

Prayer : Criminal Revision Case filed under Section 397 and 401 of the Code of Criminal Procedure, praying to call for the records pertaining to the order passed by the learned Judicial Magistrate, Manapparai, under Section 83 Cr.P.C. in STC No.540 of 2012, dated 02.05.2017.

For Petitioner : Mr.S.Muthukrishnan

For R-1 : Mr.C.Mayilvahana Rajendran
Additional Public Prosecutor

For R-2 : Mrs.S.Durgalakshmi

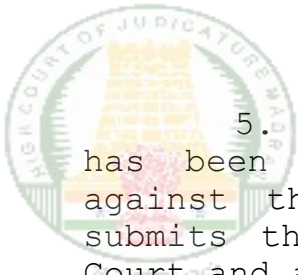
ORDER

Challenging the order of attachment of the pension, received by the petitioner, who is a retired bank staff, passed in STC No.540 of 2012, dated 02.05.2017 under Section 83 Cr.P.C., the present Criminal Revision case has been filed.

2. The petitioner is an accused in a private complaint filed by the second respondent herein under Sections 138 and 142 of the Negotiable Instruments Act.

3. Since the petitioner did not appear before the Trial Court, a non-bailable warrant has been issued against the petitioner, subsequently, the order of attachment of the pension of the petitioner was passed, in STC No.540 of 2012, dated 02.05.2017. Challenging the same, this Criminal Revision Case has been filed.

4. Heard Mr.S.Muthukrishnan, learned counsel for the petitioner, Mr.C.Mayilvahana Rajendran, learned Additional Public Prosecutor for the first respondent and Mr.S.Durgalakshmi, learned counsel for the second respondent.



5. The order of attachment of the pension of the petitioner has been effected pursuant to the non-bailable warrant issued against the petitioner. The learned counsel for the petitioner submits that the petitioner is ready to appear before the trial Court and also ready to co-operate with the trial.

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6. In the above circumstances, the order passed by the Court below is set aside, the petitioner is directed to appear before the trial Court on 21.08.2017 and to file a petition to re-call the warrant, on filing such petition, the Court below is directed to recall the warrant and proceed with the trial. The trial Court is directed to complete the trial on or before 13.10.2017. The petitioner is directed to co-operate with the trial. The petitioner should appear before the trial Court on 21.08.2017, failing which, the order passed by the Court below will come into operation.

7. This Criminal Revision Case is disposed of with the above direction.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The learned Judicial Magistrate,
Manapparai.

2. The Sub-Inspector of Police,
K.K.Nagar Police Station,
Trichy City.

+1cc to Mr.S.Muthukrishnan Advocate in SR. No.71721
SM/RMI
JS/SV/MMS/SAR.2/17.08.2017/2P-4C

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