



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2017

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Crl.R.C (MD) No.616 of 2017

and

Crl.MP(MD)No.7001 of 2017

Moovendran

... Petitioner

Vs.

The State
rep.by the Inspector of Police,
Uthamapalayam Police Station,
Theni District,
Crime No.258 of 2007.

... Respondent

Petition filed under Sections 397 read with 401 Cr.P.C, to call for records relating to the order dated 24.07.2017 passed in Cr.M.P.No.5237 of 2017 in C.C.No.399 of 2007 by the Judicial Magistrate, Uthamapalayam and modify or set aside the same.

For Petitioner : Mr.K.Neethimohan

For Respondent : Mr.C.Ramesh

Additional Public Prosecutor

ORDER

The petitioner is an accused in C.C.No.399 of 2007, pending on the file of the Judicial Magistrate, Uthamapalayam. He stood charged for the offence punishable under Sections 279, 337, 338 and 304(A) IPC. Since he met with an accident and both his legs were fractured, he could not appear before the Court. Hence, non bailable warrant was issued against him and subsequently, he filed a petition to recall the warrant and the Court below passed an order recalling the warrant and directed the petitioner to appear before the respondent police daily at 09.00 am., and 04.00 p.m., until further orders. Aggrieved with the above condition, the present Criminal Revision Case has been filed.

2.I have heard Mr.K.Neethimohan, learned counsel for the petitioner and Mr.C.Ramesh, learned Additional Public Prosecutor appearing for the respondent and perused the records carefully.

3.The learned Additional Public Prosecutor submitted that he confirmed the fact that the both the legs of the petitioner were fractured and he is not in a position to move.

<https://hcservices.ecourts.gov.in/hcservices/>4.Considering the facts and circumstances of the case, the condition imposed by the Court below is modified as stated below.



"The petitioner is directed to appear before the respondent police on the first working day of every month until further orders."

5. With the above modification, this Criminal Revision Case is disposed of. Consequently, CrI.MP(MD)No.7001 of 2017 is closed.

Sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate, Uthamapalayam

2. The Inspector of Police,
Uthamapalayam Police Station,
Theni District,

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.K.Kevinkaran, Advocate, SR.69973

CrI.R.C(MD) No.616 of 2017
03.08.2017

MJ

KK/SV MMS/SAR2-18.08.2017-2P-5C