

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.03.2018

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.9418 of 2018

Babuji

... Petitioner

Versus

State Rep.by its
The Inspector of Police,
Velagoundampatti Town Police Station,
Namakkal District.

.... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the Additional District Judge, Namakkal to recall the Non-Bailable Warrant issued as against the petitioner in connection with the case in S.C.No.116 of 2017 on the file of the Additional District Judge, Namakkal.

For Petitioner : Mr.M.Senthilkumar

For Respondent : Mr.C.Raghavan
Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed to direct the Additional District Judge, Namakkal to recall the Non-Bailable Warrant issued as against the petitioner in connection with the case in S.C.No.116 of 2017 on the file of the Additional District Judge, Namakkal.

2. Heard the learned counsel appearing for the petitioner as well as the learned Government Advocate (Crl.Side) appearing for the respondent.

3. The learned counsel for the petitioner submitted that since the petitioner had suffered an ill health condition on 08.02.2018, he was unable to appear before the learned Additional District Judge, Namakkal. Hence, the Non-Bailable Warrant came to be issued in S.C.No.116 of 2017 on the file of the Additional District Judge, Namakkal.

4. On being satisfied with the reasons stated by the petitioner for his non appearance before the trial Court and also considering the fact that NBW is issued against the petitioner, this Court is constrained to direct the petitioner to appear in person to file a petition under Section 70(2) of Cr.P.C. for

recalling the Non-Bailable Warrant before the learned Additional District Judge, Namakkal and in the event of filing such an application, the learned Additional District Judge, Namakkal is directed to consider the same and pass orders on its own merits on the same day.

5. With the above observation, the Criminal Original Petition is disposed of.

Sd/-
DEPUTY REGISTRAR

/TRUE COPY/

SUB ASST. REGISTRAR

klt

To

- 1.The Additional District Judge,
Namakkal.
- 2.The Inspector of Police,
Velagoundampatti Town Police Station,
Namakkal District.
- 3.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.M.Senthilkumar, Advocate SR.NO. 23142

सत्यमेव जयते

Cr1.O.P.No.9418 of 2018

JK 20/04/18

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