

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2018

CORAM

THE HONOURABLE MR. JUSTICE M.S. RAMESH

CRL.O.P.No.4646 of 2018

M.Jaffarsadiq

.. Petitioner

Vs

State Rep.by

Deputy Superintendent of Police,
CBCID, Chennai.

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct learned V Additional Sessions Court, Chennai to consider the recall petition of the petitioner herein on the every day of surrender in connection with C.C.No.67 of 2016 pending on the file of the learned V Additional Sessions Court, Chennai.

For Petitioner : Mr.A.Saranraj

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

O R D E R

This petition is filed by the petitioner seeking a direction to the learned V Additional Sessions Court, Chennai to consider the recall warrant petition filed by him on the same day of his surrender.

2. Heard both sides.

3. The learned counsel for the petitioner submitted that since he had participated in the condolence of the brother-in-law, he was not present on 25.12.2017 before the learned V Additional Sessions Court, Chennai. Hence, the Non-Bailable Warrant came to be issued against the petitioner on 25.12.2017.

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 V Additional Sessions Court, Chennai and in the event of filing such an application, the learned V Additional Sessions Court, Chennai 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/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

at

To

1. The V Additional Sessions Judge,
Chennai
2. The Principal Session Judge, Chennai.
3. The Deputy Superintendent of Police,
CBCID, Chennai.
4. The Additional Public Prosecutor,
High Court, Madras.

+1cc to Mr.A.Saranraj, Advocate, S.R.No.12101

CRL.O.P.No.4646 of 2018

MG(CO)
RRK(28/02/2018)

सत्यमेव जयते

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