

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.11.2018

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.26833 of 2018

Rajesh Kumar ... Petitioner/Accused (1)  
-Vs-

State: Rep by  
Inspector of Police,  
Kadambarai Police Station,  
Coimbatore District ... Respondent/Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the Learned District Munsif cum Judicial Magistrate, Valparai, Coimbatore District to recall the Non Bailable Warrant dated 27.07.2018 and to enlarge the petitioner on bail in the event of his surrender in C.C.No.4 of 2010 on the file District Munsif cum Judicial Magistrate, Valparai, Coimbatore District.

For Petitioner : Mr.K.Ramkumar

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

ORDER

This Criminal Original Petition has been filed to direct the Learned District Munsif cum Judicial Magistrate, Valparai, Coimbatore District to recall the Non Bailable Warrant dated 27.07.2018 and to enlarge the petitioner on bail in the event of his surrender in C.C.No.4 of 2010 on the file District Munsif cum Judicial Magistrate, Valparai, Coimbatore District.

2. The petitioner is arrayed as accused in C.C.No.4 of 2010, on the file of the Learned District Munsif cum Judicial Magistrate, Valparai, Coimbatore District, for the **\*offence under Section 304(A) of IPC.**

3. The petitioner was absent during the trial in C.C.No.4 of 2010, on the file of the Learned District Munsif cum Judicial Magistrate, Valparai, Coimbatore District. Therefore non bailable warrant came to be issued on 27.07.2018.

4. The learned counsel appearing for the petitioner undertakes that the petitioner shall appear before the Court below regularly on all future hearing dates without fail.

5. Considering the undertaking given by the petitioner, the petitioner is directed to appear before the Learned District Munsif cum Judicial Magistrate, Valparai, Coimbatore District, within a period of two weeks from today and to file a petition to recall the NBW issued against him. The concerned Magistrate is directed to consider the same on merits and pass orders on the same day.

6. Accordingly, the Criminal Original Petition stands disposed of.

20/11/2018

Sd/-

Assistant Registrar(CS VIII)

**Corrected as per order of  
this court and made herein**

**Sd-**

**Assistant Registrar**

//True Copy//

Sub Assistant Registrar

ssr/ub

To

1. The District Munsif cum Judicial Magistrate,  
Valparai,  
Coimbatore District .

**To be substituted to the  
order already despatched on  
07/12/2018**

2.The Inspector of Police,  
Kadambarai Police Station,  
Coimbatore District.

3.The Public Prosecutor,  
High Court, Madras.

+1 cc to Mr.K.Ramkumar, Advocate Sr.No.\*87696

Cr1.O.P.No.26833 of 2018

RV(CO)  
CSL/06.12.2018  
nr 19/12/2018