

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2018

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.29019 of 2018

and

Cr1.M.P.No.16962 of 2018

Anil Kumar

.... Petitioner

Vs.

The State by
Inspector of Police,
Dhali Police Station,
Tiruppur District.
(Crime No.58 of 2013)

.... Respondent

Prayer: This Criminal Original Petition filed under Section 482 of Cr.P.C. to direct the learned Sub Judge, Udumalpet to recall the Non Bailable Warrant issued against the petitioner on 31.10.2018 in S.C.No.141 of 2017, on his appearance before the learned Sub Court, Udumalpet.

For Petitioner : Mr.D.R.Arun Kumar.

For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor.

ORDER

This Criminal Original petition has been filed to recall the Non Bailable Warrant issued by the learned Sub Judge, Udumalpet, by order dated 31.10.2018 against the petitioner in S.C.No.141 of 2017.

2. The petitioner is arrayed as A4 in S.C.No.141 of 2017, on the file of the learned Sub Court, Udumalpet for the offence punishable under Sections 399, 402 IPC r/w 25(1) (B) (g) of the Indian Arms Act.

3. The petitioner was absent during the trial in S.C.No.141 of 2017 on the file of the learned Sub Judge, Udumalpet. Therefore, non bailable warrant came to be issued on 31.10.2018.

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.If the petitioner fails to appear before the Court below for future hearings, he shall to file appropriate petition under Section 317 Cr.P.C. Even if on one hearing, he is absent and no application is filed for condoning his absence, this order shall stand cancelled automatically.

6. Recording the aforesaid undertaking given by the learned counsel appearing for the petitioner, the petitioner is permitted to appear before the learned Sub Judge, Udumalpet on the next hearing date and to file a recall warrant petition. The learned Judge is directed to recall the warrant on the same day.

7.With the above direction, this Criminal Original Petition is disposed of. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

1. The Subordinate Judge,
Udumalpet.
2. The Inspector of Police,
Dhali Police Station,
Tiruppur District.
- 3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.D.R.Arun Kumar, Advocate sr.no.86339

Cr1.O.P.No.29019 of 2018
and
Cr1.M.P.No.16962 of 2018

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