

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 20.12.2018
CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.29615 of 2018

Pandiyan

.... Petitioner

Vs.

The State represented by
The Assistant Superintendent of Police,
Muthupettai Sub Division,
Thiruvarur District.

.... Respondent

Prayer: This Criminal Original Petition filed under Section 482 of Cr.P.C. to direct the I Additional and Sessions Judge (PCR) Thanjavur to accept the recall warrant petitioner and permit the petitioner to contest the case and Cr.No.33 of 2009 pending on the file of the Muthupettai Police Station.

For Petitioner : Mr.Rajkumar Paul

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

ORDER

This Criminal Original Petition has been filed to direct the learned I Additional and Sessions Judge (PCR) Thanjavur to accept the recall warrant of the petitioner to contest the case in S.C.C.No.58 of 2016 on the file of the learned I Additional and Sessions Judge (PCR) Thanjavur.

2. The petitioner was absent on one hearing date before the learned I Additional and Sessions Judge (PCR) Thanjavur. Therefore, Non-Bailable Warrant came to be issued on 13.11.2018.

3. 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.

4.If the petitioner fails to appear before the Court below for future hearings, he shall 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.

5. Recording the aforesaid undertaking given by the learned counsel appearing for the petitioner, the petitioner is permitted to appear before the learned I Additional and Sessions Judge (PCR) Thanjavur 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.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

lpp/vsa

To

1. The Assistant Superintendent of Police,
Muthupettai Sub Division,
Thiruvarur District.
2. The Public Prosecutor,
High Court, Madras.
3. The I Additional District and Sessions Judge (PCR)
Thanjavur.

+lcc to Mr.Rajkumar Paul, Advocate, S.R.No.88719

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SPD(CO)
GN(23/01/2019)