



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.04.2018

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD) Nos.5736 of 2018

Rajan .. Petitioners / Accused No.3

-Vs-

The State rep. by its
The Inspector of Police,
Kuzhithurai Police Station,
Kanyakumari District.
Crime No. 612 of 2006

.. Respondent / Complainant

Prayer: Criminal Original petition is filed under Section 482 Cr.P.C., for issuing a direction to the Judicial Magistrate No.I, Kuzhithurai to dispose of the petition filed under Section 70(2) of Cr.P.C., on the same day to recall the non bailable warrant issued against the petitioner / accused in C.C.No.37 of 2007 on the file of the Judicial Magistrate No.I, Kuzhithurai.

For Petitioner : Mr. S. Sivakumar

For Respondent : Mr. Prabhu Ramachandran
Government Advocate (Crl. Side)

O R D E R

The petitioner is facing trial in C.C.No.37 of 2007, on the file of the Judicial Magistrate No.I, Kuzhithurai. Due to non appearance of the petitioner, Non Bailable warrant issued against him on 12.07.2013.

2. The learned counsel appearing for the petitioner undertakes that the petitioner shall regularly appear before the Trial Court on all future hearing dates. If the petitioner is not able to comply with the condition, he would file a petition under Section 317 Cr.P.C. If this condition is contravened, this order shall stand cancelled.

<https://hcservices.ecourts.gov.in/hcservices/> 3. Recording the above undertaking given by the learned counsel appearing for the petitioner, the petitioner is directed



to appear before the Trial Court on the next hearing date and file a petition for recalling the Non Bailable Warrant issued against him, dated 12.07.2013, and on filing such petition, the learned Trial Magistrate, is directed to recall the Non Bail Warrant on the same day.

WEB COPY

4. Accordingly, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

1.The Judicial Magistrate No.I, Kuzhithurai

2.The Inspector of Police,
Kuzhithurai Police Station,
Kanyakumari District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 cc TO Mr.S.Sivakumar , Advocate in SR No. 61373

trp

AE/SV MMS/SAR2/20.04.2018/2P/5C

Cr1.O.P.(MD) Nos.5736 of 2018
13.04.2018