



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.04.2018

WEB COPY

CORAM:

THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD).No.7069 of 2018

K.K.Abdul Rahiman

...Petitioner/Accused No.1

State represented by
The Inspector of Police,
Sankarankovil Town Police Station,
Tirunelveli District.

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to direct the learned Judicial Magistrate, Sankarankovil, Tirunelveli to consider the warrant recall petition to be filed by the petitioner in C.C.No.27 of 2013 on the file of the Judicial Magistrate, Sankarankovil and accept the same on the same day.

For Petitioner : Mr.A.K.Azagarsami
For Respondent :Mr.Prabu Ramachandran
Government Advocate(Crl.Side)

O R D E R

This Criminal Original Petition has been filed by the petitioner to direct the learned Judicial Magistrate, Sankarankovil, Tirunelveli to consider the warrant recall petition to be filed by the petitioner in C.C.No.27 of 2013 on the file of the Judicial Magistrate, Sankarankovil and accept the same on the same day.

2.The petitioner was absent on 26.03.2018 during the trial in C.C.No.27 of 2013 before the learned Judicial Magistrate, Sankarankovil, Tirunelveli District. Therefore, Non-Bailable Warrant came to be issued.

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.

<https://hcservices.ecourts.gov.in/hcservices/>

4.If the petitioner fails to appear before the Court below for future hearings, he is entitled 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 granting anticipatory bail shall stand cancelled.

5. Recording the abovesaid undertaking given by the learned counsel appearing for the petitioner, the petitioner is permitted to appear before the trial Court on next hearing date and to file a recall warrant petition. The learned Judicial Magistrate, Sankarankovil, Tirunelveli District is directed to recall the warrant on the same day.

6. Accordingly, the Criminal Original Petition is allowed.

Sd/

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate, Sankarankovil,
Tirunelveli.

2. The Inspector of Police,
Sankarankovil Town Police Station,
Tirunelveli District.

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

4. The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai. (2 COPIES)

+1cc to Mr.A.K.Azagarsami, Advocate, SR.No.64843

Cr1.O.P.(MD).No.7069 of 2018
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MSA/DAS

KK/SV MMS/09.05.2018/SAR-4/2P-7C