



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.11.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN
Cr1.O.P.[MD].No.19628 of 2018

M.Selvamoni

: Petitioner

Vs.

1.K.Russel Raj

2.The Inspector of Police,
Peroorkada Police Station,
Thiruvananthapuram.

: Respondents

PRAYER : Criminal Original Petition is filed under Sections 482 of Cr.P.C. to direct the Judicial Magistrate Court No.II, Kuzhithurai to consider the surrender application of the petitioner on the same day against bailable warrant issued on 27.01.2018 in S.T.C.No.40 of 2014.

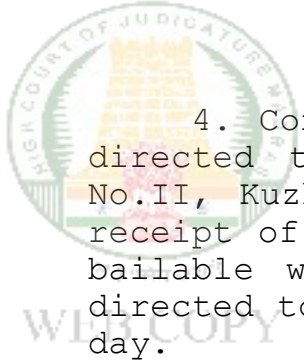
For Petitioner : Mr.T.C.Vijayakumar
For Respondent : Mr.K.Suyambulinga Bharathi
Government Advocate (Cr1. Side)

ORDER

The Criminal Original Petition has been filed seeking to direct the Judicial Magistrate Court No.II, Kuzhithurai to consider the surrender application of the petitioner on the same day against bailable warrant issued on 27.01.2018 in S.T.C.No.40 of 2014.

2.The petitioner was absent during the trial in S.T.C.No.40 of 2014 on the file of the learned Judicial Magistrate Court No.II, Kuzhithurai. Though the petitioner approached the trial Court in response to the bailable warrant issued against him, the trial Court failed to recall the bailable warrant. Due to which, the respondent police was trying to arrest the petitioner. Hence, the petitioner has filed this Criminal Original Petition under Section 482 of Cr.P.C., seeking a direction as stated above.

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



4. Considering the undertaking given by the petitioner, he is directed to appear before the learned Judicial Magistrate Court No.II, Kuzhithurai, within a period of two weeks from the date of receipt of copy of this order and to file a petition to recall the bailable warrant issued against him. The Magistrate concerned is directed to consider the same on merits and pass orders on the same day.

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

Sd/-

Assistant Registrar (RECORDS)

/True Copy/

Sub Assistant Registrar (CS-II)

To

1. The Judicial Magistrate Court No.II, Kuzhithurai.

2. The Inspector of Police,
Peroorkada Police Station,
Thiruvananthapuram.

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

- 1 CC TO Mr.T.C.Vijayakumar , ADVOCATE IN SR No.93781.
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- SJI/DAS
- DS SV SAR2 02 11 2018 2P 5C

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