



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.09.2018

CORAM

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THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL.O.P. (MD) No.16255 of 2018

S.Kannan

... Petitioner/Accused

Vs

State represented by
The Inspector of Police,
Contonment Police Station,
Trichirappalli.

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the learned Judicial Magistrate No.II, Trichy to consider the petition to recall the non-bailable warrant issued against the petitioner on 27.11.2017 in S.T.C.No.3591 of 2014.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondent : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.side)

O R D E R

This petition is filed, seeking for a direction to the learned Judicial Magistrate No.II, Trichy, to consider the re-call petition filed by the petitioner and pass an order on the same day in S.T.C.No.3591 of 2014 on the file of the learned Judicial Magistrate No.II, Trichy.

2.Learned counsel for the petitioner submits that the petitioner could not appear before the trial Court on 27.11.2017 due to ill-health and therefore, a Non Bailable Warrant was issued by the learned Magistrate against the petitioner.

3.Learned counsel for the petitioner further submits that the petitioner undertakes to appear before the trial Court regularly.

4.Considering the submissions made by the learned counsel for the petitioner, the petitioner is directed to appear before the trial Court, within ten days from the date of receipt of a copy of this order and also to file an application under Section 70(2) of Cr.P.C, to recall the warrant and if so moved, the trial Court is directed to consider the same and pass necessary orders on merits



and in accordance with law, on the very same day.

5. With the above direction, this Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar(P&A)

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/True Copy/

Sub Assistant Registrar(CS-I)

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To

1.The Judicial Magistrate No.II, Trichirapalli.

2.The Inspector of Police,
Contonment Police Station,
Trichirappalli.

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

+1cc to Mr.P.Ganapathi Subramanian, Advocate in SR No.84035

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NM/PM/SAR I/01.11.18/2P/5C