



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.10.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Cr1.O.P.(MD).No.17254 of 2018

S.Sakthivel

... Petitioner/Petitioner/Accused No.1

Vs.

The Inspector of Police
CCB, Unit-I,
Madurai in Cr.No.1/2005

...Respondent/Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to set aside the impugned order in Cr.M.P.No.2463 of 2018 dated 18.09.2018 on the file of the Learned Judicial Magistrate No.I, Madurai dismissing the petition filed under section 70(2) of Cr.P.C. for cancellation of non-bailable warrant pending against the petitioner and cancel the non bailable warrant pending against the petitioner.

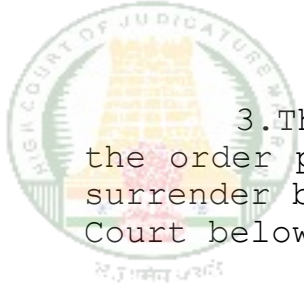
For Petitioner :Mr.M.Michael Bharathi

For Respondent :Mr.K.Suyambulinga Bharathi
Government Advocate (crl. Side)

O R D E R

This petition has been filed challenging the order passed by the Court below in Cr.M.P.No.2463 of 2018, dated 18.09.2018, dismissing the petition filed under section 70(2) of Cr.P.C.

2.The Court below while considering the recall petition has specifically given a finding that the petitioner, who was arrayed as A1 was absconding for more than 12 years and had not appeared before the Court, as a result of which, the case was forced to be split up. The Court below also given a specific finding that the petitioner has received a sum of Rs.5,50,000/- (Rupees Five Lakhs Fifty Thousand only) under the pretext of getting a job for the son of the defacto complainant and consequently cheated the defacto complainant.



3.This Court does not find any illegality or infirmity in the order passed by the Court below. The petitioner is directed to surrender before the Court below and file proper application and the Court below shall deal with the same in accordance with law.

4.With the above direction, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar(AD-I)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1.The Judicial Magistrate No.I,
Madurai

2.The Inspector of Police
CCB, Unit-I,
Madurai.

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

1 CC TO Mr.V.SASI KUMAR , ADVOCATE IN SR No.92310.

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