

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2019

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.18664 of 2016

Varadharaj

...Petitioner

Vs.

1.The State of Tamil nadu,
Rep. by the Inspector of Police,
Mangalapuram Police Station,
Namakkal District.
(Crime No.436/2012)

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to set aside the order dated 19.07.2016 made in S.C.No.79 of 2015 on the file of the Principal Sessions Judge, Namakkal.

For Petitioner : Mr.S.Sithirai Anandam

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This petition has been filed to set aside the order dated 19.07.2016 made in S.C.No.79 of 2015 on the file of the Principal Sessions Judge, Namakkal.

2.The petitioner was arrayed as A9 in S.C.No.79 of 2015 for the offences under Section 147, 148, 307(2 counts) and 3(i) of the Tamil Nadu Public Properties and Damages Act 1992 read with 149 IPC and 3(1)(x) and 3(2)(iv) and 3(2)(v) of the SC/ST Act, 1949 r/w 149 IPC. When the case was posted on 25.11.2015 for appearance of the petitioner, the petitioner did not appear before the Court below, since no summons were issued to the petitioner. Therefore, the learned Sessions Judge issued non-bailable warrant against him. Hence, the petitioner has filed the present petition to set aside the order dated 19.07.2016 by the learned Principal Sessions Judge, Namakkal in S.C.No.79 of 2015.

3.The learned Additional Public Prosecutor submitted that

subsequently, the non-bailable warrant issued against the petitioner was recalled.

4.Heard both sides.

5.In view of the above submission, the prayer sought for by the petitioner has become infructuous. Accordingly, this Criminal Original Petition stands dismissed as infructuous.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

rm

To

1.Principal Sessions Judge,
Namakkal.

2.The Inspector of Police,
Mangalapuram Police Station,
Namakkal District.
(Crime No.436/2012)

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr. S.Sithirai Anandam, Advocate, S.R.No. 23891

CRL.O.P.No.18664 of 2016

RSK (CO)
GN(22/05/2019)

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