

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.02.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.2977 of 2019

1.P.R.Marimuthu

2.M.Manikandan

.. Petitioner

Vs

M/s.Gokulakannan Chits,
Tamil Nadu Private Ltd,
Rep by its,
Authorized Person/Foreman,
Mr.R.Balakrishnan

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the Judicial Magistrate Fast Track No.1, Coimbatore to consider the petitioner to recall the NBW in C.C.No.63 of 2017 in appearance of the petitioner on or before 02.04.2019.

For Petitioner : Mr.B.Nedunchezhiyan

O R D E R

This Criminal Original petition has been filed to direct the Judicial Magistrate Fast Track No.1, Coimbatore to consider the petition filed by the petitioner to recall the Non Bailable Warrant, which was issued on 30.10.2018 in C.C.No.63 of 2017 on the same day of surrender.

2. The learned counsel appearing for the petitioner would submit that on 30.10.2018, due to illness, the petitioner was not able to appear before the Judicial Magistrate Fast Track No.1, Coimbatore in respect of the case in C.C.No.63 of 2017 and hence, non bailable warrant has been issued against the petitioner. He would further submit that the said absence is neither willful nor wanton and he undertakes that the petitioner shall appear before the Court below regularly on all future hearing dates without fail.

3. Considering the undertaking given by the learned counsel

for the petitioner, the petitioner is directed to appear before the Judicial Magistrate Fast Track No.1, Coimbatore on the next hearing and to file a petition under Section 70(2) of Cr.P.C., to recall NBW already issued against him. On filing of such petition, the concerned learned Magistrate is directed to consider the same on its own merits in accordance with law and pass orders on the same day.

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

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

jas/uma

To

The Judicial Magistrate,
Fast Track No.1,
Coimbatore.

+1cc to Mr.B.Nedunchezhiyan, Advocate, S.R.No. 9652

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VSN II (CO)
GN(06/03/2019)

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