

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.1562 of 2019
and
Crl.M.P.No.989 of 2019

1.K.Karunagaran

2.V.Kumaravel

3.K.Savitha

... Petitioners

Vs.

1.The State rep. by
Inspector of Police,
All Women Police Station,
Ranipet, Vellore District.

2.S.Gayathrilakshmi

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., praying to set aside the non bailable warrant issued against the petitioners on 13.12.2018 in C.C.No.76 of 2015 on the file of learned District Munsif-cum-Judicial Magistrate, Ranipet, Vellore District.

For Petitioner :Mr.B.Gopalakrishnan

For Respondent 1 :Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This petition has been filed seeking to set aside the Non Bailable Warrant issued against the petitioners on 13.12.2018 by the Court below in C.C.No.76 of 2015.

2. It is seen from records that these petitioners along with two others filed a petition in Crl.O.P.No.23586 of 2015 before this Court seeking to quash the proceedings in C.C.No.76 of 2015. This Court entertained the petition and also granted interim stay of all further proceedings. The Court below was also apprised of the said order by filing a memo. However, the Court below has proceeded to issue non bailable warrant against the petitioners on 13.12.2018, without taking note of stay already granted by this Court. Aggrieved by the same, the present petition has been

filed.

3. In view of the stay already granted by this Court in CrI.O.P.No.23586 of 2015, the Court below ought not to have issued non bailable warrant against the petitioners. Therefore, the non bailable warrant issued by the Court below has to be necessarily re-called.

4. The order passed by the Court below on 13.12.2018, issuing the non bailable warrant against the petitioners is hereby re-called. Accordingly, this criminal original petition stands allowed. Consequently, connected miscellaneous petition is closed.

s/d-

Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

nmm/dss
To

- 1.The District Munsif-cum-Judicial Magistrate,
Ranipet, Vellore District.
- 2.The Inspector of Police,
All Women Police Station,
Ranipet, Vellore District.
- 3.The Public Prosecutor,
Madras High Court, Chennai.

+1 CC to Mr.B.Gopalakrishnan, Advocate sr 5007.

सत्यमेव जयते

CrI.O.P.No.1562 of 2019
and

CrI.M.P.No.989 of 2019

SP(13/02/2019)

WEB COPY