

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED : 14.02.2019  
CORAM  
THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.2195 of 2019

Tommy Varghese

.. Petitioner

Vs

1.T.V.George,

2.State Rep. by

The Inspector of Police,  
Valparai Police Station,  
Coimbatore District.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the District Munsif cum Judicial Magistrate, Valparai, to recall the non-bailable warrant in STC.No.447 of 2017, issued against the petitioner.

For Petitioner : Mr.S.Panneerselvan

For Respondent : Mr.M.Mohamed Riyaz

Additional Public Prosecutor.

O R D E R

This Criminal Original petition has been filed to direct the District Munsif-cum-Judicial Magistrate, Valparai, to recall the Non Bailable Warrant, which was issued on 21.01.2019 in STC.No.447 of 2017.

2. The learned counsel appearing for the petitioner would submit that on 21.01.2019, due to illness, the petitioner was not able to appear before the learned District Munsif-cum-Judicial Magistrate, Valparai, in respect of the case in STC.No.447 of 2017 and hence, a 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 learned District Munsif-cum-Judicial Magistrate, Valparai, 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 and in accordance with law and pass orders on the same day.

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

Sd/-  
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The District Munsif cum Judicial Magistrate,  
Valparai.
- 2.do Thro Chief Judicial Magistrate,  
Coimbatore.
3. The Inspector of Police,  
Valparai Police Station,  
Coimbatore District.
- 4.The Public Prosecutor,  
High Court, Madras.

+lcc to Mr.S.Panneerselvan, Advocate sr.no.14729

Cr1.O.P.No.2195 of 2019

sv(co)  
nr 26/03/2019

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