

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 18.02.2019

CORAM:
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.4330 of 2019 and
Crl.M.P.No.2589 of 2019

R.Parameshwari

... Petitioner/Accused

Vs.

Raju

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the Judicial Magistrate No.2, Karaikal to consider the petition to recall the bailable warrant issued on 03.08.2018 in STR No.1044 of 2016 without insisting the personal appearance of the petitioner.

For Petitioner : Mr.N.R.Rajagopalan

ORDER

This Criminal Original petition has been filed to direct the Judicial Magistrate No.2, Karaikal to consider the petition filed by the petitioner to recall the Bailable Warrant, which was issued on 03.08.2018 in STR.No.1044 of 2016 on the same day of surrender.

2. The learned counsel appearing for the petitioner would submit that on 03.08.2018, the petitioner was not able to appear before the Judicial Magistrate No.2, Karaikal in respect of the case in STR.No.1044 of 2016 and hence, 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 No.2, Karaikal on the next hearing and to file a petition under Section 70(2) of Cr.P.C., to recall bailable warrant already issued against her. 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. Further it is also seen that the petitioner filed a petition under Section 445 Cr.P.C. in C.M.P.No.2082 of 2018. Hence, the learned Judicial Magistrate No.2, Karaikal is also directed to dispose of the petition filed

by the petitioner in C.M.P.No.2082 of 2018 as expeditiously as possible in accordance with law.

4. With the above directions, this Criminal Original Petition is disposed of. Consequently connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

pds/lok

To

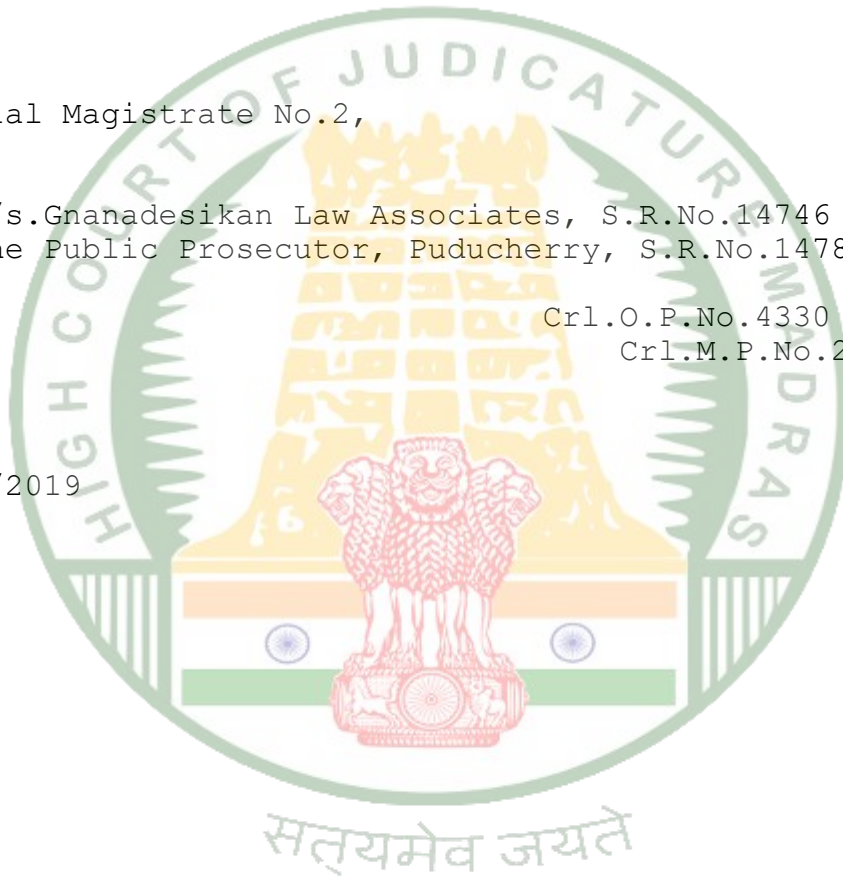
The Judicial Magistrate No.2,
Karaikal.

+1cc to M/s.Gnanadesikan Law Associates, S.R.No.14746
+1cc to the Public Prosecutor, Puducherry, S.R.No.14782

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CrI.M.P.No.2589 of 2019

BS (CO)

rrs 19/03/2019



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