

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 09.04.2019
CORAM
THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.9475 of 2019

Gurumurthy

...Petitioner/Accused
Vs

Muruganandam

... Respondent/Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the learned Judicial Magistrate, No.II, Poonamalee to recall the warrant issued against the petitioner in STC No.23 of 2017 and consider the recall petition on the same day on his surrender.

For Petitioner : Mr.B.Mahendra Naidu

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

O R D E R

This Criminal Original petition has been filed to direct the Judicial Magistrate, No.II, Poonamalee to consider the petition filed by the petitioner to recall the Non Bailable Warrant in STC No.23 of 2017 on the same day of surrender.

2. The learned counsel appearing for the petitioner would submit that on 03.10.2017, due to illness, the petitioner was not able to appear before the Judicial Magistrate, No.II, Poonamalee in respect of the case in STC No.23 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 No.II, Poonamalee 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(J)

//True Copy//

Sub Assistant Registrar

rri

To

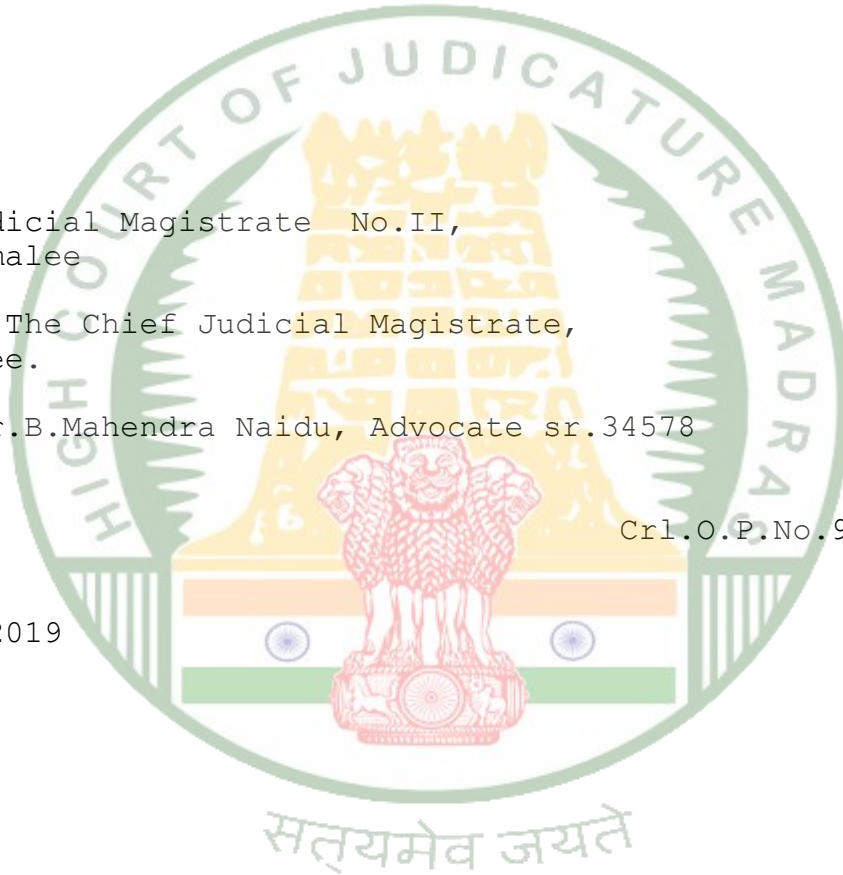
1. The Judicial Magistrate No.II,
Poonamallee

2.Do Thro The Chief Judicial Magistrate,
Poonamallee.

+lcc to Mr.B.Mahendra Naidu, Advocate sr.34578

Crl.O.P.No.9475 of 2019

ev(co)
nr 10/05/2019



WEB COPY