

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.10921 of 2019

Dawood Basha

.. Petitioner

Vs

State rep by

The Inspector of Police,
J8 Neelangarai Police Station,
Kancheepuram District,
(Crime No.654 of 2009)

.... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to recall the non bailable warrant issued in S.C.No.168 of 2010 dated 11.08.2016 pending on the file of the learned Additional District Judge at Chengalpet.

For Petitioner : M/s.L.Ramu

For Respondent : Mr.C.Raghavan
Government Advocate (Crl.Side)

O R D E R

This Criminal Original petition has been filed seeking for a direction to direct the learned Additional District Judge, Chengalpet. to consider the petition filed by the petitioner to recall the Non Bailable Warrant, which was issued on 11.08.2016 in S.C.No.168 of 2010.

2. The learned counsel appearing for the petitioner would submit that on 11.08.2016, due to illness, the petitioner was not able to appear, before the learned Additional District Judge, Chengalpet in respect of the case in S.C.No.168 of 2010 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 learned Additional District Judge, Chengalpet 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 Additional District Judge, Chengalpet 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/-
Deputy Registrar (CS)

//True Copy//

Sub Assistant Registrar

mpa

To

1. The learned Additional District Judge, Chengalpet

2. The Inspector of Police,
J8 Neelangarai Police Station,
Kancheepuram District,

3. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.L.Ramu, Advocate Sr.No.39213

JP (CO)
MP (21/05/2019)

Cr1.O.P.No.10921 of 2019

सत्यमेव जयते
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