

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.04.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.9603 of 2019

S.Ravichandran

.. Petitioner

Vs

The State Rep. by its
The Inspector of Police,
Central Crime Branch,
Vepery, Chennai.
(Crime No.427 of 2008)

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the Chief Metropolitan Magistrate, Egmore, Chennai to consider the N.B.W. warrant recall petition on the same day of surrender in C.C.No.4510 of 2018.

For Petitioner : Mr.Adinarayana Rao

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

O R D E R

This Criminal Original petition has been filed to direct the Chief Metropolitan Magistrate, Egmore, Chennai to consider the petition filed by the petitioner to recall the Non Bailable Warrant in C.C.No.4510 of 2018 on the same day of surrender.

2. The learned counsel appearing for the petitioner would submit that the petitioner was away for a contract labour job. Hence, the petitioner was not able to appear before the Chief Metropolitan Magistrate, Egmore, Chennai in respect of the case in C.C.No.4510 of 2018 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 Chief Metropolitan Magistrate, Egmore, Chennai 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 (CS-III)

//True Copy//

Sub Assistant Registrar

rri

To

1. The Chief Metropolitan Magistrate,
Egmore, Chennai

2.The Inspector of Police,
D-6, Anna Square,
Traffic Investigation Wing,
Chindradripet,
Chennai-600 002.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.Adinarayan Rao, Advocate, S.R.No.35055

सत्यमेव जयते

Cr1.O.P.No.9603 of 2019

KAN(CO)
GN(27/04/2019)

WEB COPY