

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.04.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.9938 of 2019

V.Vidya

.. Petitioner

Vs

The State of Tamil Nadu,
Rep.by the Inspector of Police,
M1, Madhavaram Police Station,
Chennai.
(Crime No.528 of 2009)

... Respondent

Prayer:

Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to accept the surrender of the petitioner and consider her petition to recall the non-bailable warrant on the same day, pending trial in C.C.No.35 of 2015 on the file of the Judicial Magistrate, Tiruvottiyur.

For Petitioner : Ms.V.Vidhya
Party-in-person

For Respondent : Mr.M.Mohamed Riyaz,
APP, High Court

O R D E R

This Criminal Original petition has been filed to direct the learned Judicial Magistrate, Tiruvottiyur to consider the petition filed by the petitioner to recall the Non Bailable Warrant, which was issued on 09.04.2019 in C.C.No.35 of 2015, on the same day of surrender.

2. The petitioner would submit that on 09.04.2019, neither the petitioner nor her counsel could not attend the Court, hence, non bailable warrant has been issued against the petitioner. She would further submit that the said absence is neither willful nor wanton and she 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 petitioner, the petitioner is directed to appear before the learned Judicial

Magistrate, Tiruvottiyur, on the next hearing date and to file a petition under Section 70(2) of Cr.P.C., to recall NBW 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.

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

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Judicial Magistrate,
Tiruvottiyur.
2. The Inspector of Police,
M1, Madhavaram Police Station,
Chennai.
3. The Public Prosecutor,
High Court, Madras.

+2cc to Ms.V.Vidhya, Party-in-person, S.R.No.35595

Cr1.O.P.No.9938 of 2019

KAN(CO)
CS/29/04/2019

सत्यमेव जयते

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