

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.06.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.14813 of 2019

V.Ramasaravanan,
Sole Proprietor,
M/s.OM Sakthi Travels,
S-1, 2nd floor, Kurian Complex,
No.19, Railway Colony, 1st Street,
Off Nelson Manickkam High Road,
Chennai-600 029.Petitioner

-Vs-

Kimberly Petrol Pump reo,by its
Power Agent Kunjithapatham,
Sole Proprietor Firm No.466, EVR Road,
(Poonamallee High Road) Shenoy Nagar,
Chennai-600 030. Respondent

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the learned XX Metropolitan Magistrate, Ribbon building, to consider the recall petition filed u/s.70(2) Cr.P.C. in C.C.NO.883 of 2009 without obtaining the respondent consent.

For Petitioner : Mr.A.Muniraj

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ORDER

This Criminal Original Petition has been filed to recall the non bailable warrant issued by the learned XX Metropolitan Magistrate Court, Ribbon Building, Chennai by order dated 22.11.2018 against the petitioner in C.C.No.883 of 2009.

2. The petitioner is arrayed as accused in C.C.No.883 of 2009 on the file of the learned XX Metropolitan Magistrate

Court, Ribbon Building, Chennai for the offences punishable under Section 138 of the Negotiable Instruments Act.

3. The petitioner was absent during the trial in C.C.No.883 of 2009, on the file of the learned learned XX Metropolitan Magistrate Court, Ribbon Building, Chennai. Therefore, non bailable warrant came to be issued on 22.11.2018.

4. The learned counsel appearing for the petitioner undertakes that the petitioner shall appear before the Court below regularly on all future hearing dates without fail.

5. Considering the undertaking given by the petitioner, the petitioner is directed to appear before the learned XX Metropolitan Magistrate Court, Ribbon Building, Chennai, within a period of two weeks from today, and to file a petition to recall the NBW issued against him. The concerned Magistrate is directed to consider the same on merits and pass orders on the same day.

6. Accordingly, the Criminal Original Petition stands disposed of.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To

The XX Metropolitan Magistrate Court,
Ribbon Building, Chennai.

+1cc to Mr.A.Muniraj, Advocate sr.46743

nr 12/06/2019

Crl.O.P.No.14813 of 2019

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