

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2019

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.16918 of 2019

Shri Bholanath Shukla
The Proprietor
M/s.S.S. Enterprises,
Thane 401 107.

... Petitioner

Vs.

The State of Tamil Nadu,
Rep.by the Labour Enforcement Officer (Central),
Government of India,
Ministry of Labour & Empowerment,
Shatri Bhavan,
No.26, Haddows Road,
Chennai - 600 006.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the Chief Judicial Magistrate, Chengalpet to consider the petitioner to recall the Non-Bailable Warrant issued against the petitioner in C.C.NO.168 of 2018 dated 08.03.2018 on the date of surrender.

For Petitioner : Mr.C.K.M.Appaji

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

सत्यमेव जयते
O R D E R

This Criminal Original Petition has been filed to direct the Chief Judicial Magistrate, Chengalpet to consider the petitioner to recall the Non-Bailable Warrant issued against the petitioner in C.C.NO.168 of 2018 dated 08.03.2018 on the date of surrender.

2. The petitioner is arrayed as accused in C.C.NO.168 of 2018 , on the file of the learned Chief Judicial Magistrate, Chengalpet, for the offences punishable under Section 23 of the Contract Labour (Regulation & Abolition) Act, 1970 for the breach of Rules 12(1) of the Contract Labour (Regulation & Abolition) Central Rules, 1971.

3. The petitioner was absent during the trial in C.C.NO.168 of 2018 on the file of the learned Chief Judicial Magistrate, Chengalpet. Therefore, non bailable warrant came to be issued on 08.03.2018.

4. The learned counsel appearing for the petitioner undertake 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 Chief Judicial Magistrate, Chengalpet, within a period of two weeks from today and to file a petition to recall the NBW issued against them. 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.

s/d-

Assistant Registrar (CS V)

True Copy

Sub-Assistant Registrar

jas/rka
To

1. The Labour Enforcement Officer (Central),
Government of India,
Ministry of Labour & Empowerment,
Shatri Bhavan,
No.26, Haddows Road,
Chennai - 600 006.

2. The Chief Judicial Magistrate,
Chengalpet.

3. The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.C.K.M.Appaji, Advocate sr 54355.

Cr1.O.P.No.16918 of 2019

SKV (CO)
SP (29/07/2019)