

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.07.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.19269 of 2019

Muji @ Mujamil

...Petitioner

-Vs-

State Represented by
The Inspector of Police,
Hosur Town Police Station,
Hosur - 635 109
Krishnagiri District.
(Crime No.391/2016)

...Respondent

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the Learned Additional Sessions Judge, Hosur to accept the surrender of the petitioner/Accused-3 and to recall the Non-Bailable warrant issued against the petitioner/Accused-3 in S.C.No.263 of 2016 on the file of the learned Additional Sessions Judge, Hosur on the same day.

For Petitioner : Mr.S.S.Karthikeyan

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

ORDER

This Criminal Original Petition has been filed to direct the Learned Additional Sessions Judge, Hosur to accept the surrender of the petitioner/Accused-3 and to recall the Non-Bailable warrant issued against the petitioner/Accused-3 in S.C.No.263 of 2016 on the file of the learned Additional Sessions Judge, Hosur on the same day.

2. The petitioner is arrayed as accused in S.C.No.263 of 2016, on the file of the Additional Sessions Judge, Hosur for the offences punishable under Sections 341, 323, 324, 332, 307 and 302 of IPC.

3. The petitioner was absent during the trial in S.C.No.263 of 2016 on the file of the learned Additional Sessions Court, Hosur. Therefore, non bailable warrant came to be issued on 19.11.2018.

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 Additional Sessions Court, Hosur, 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. This Criminal Original Petition is disposed of with a direction to the Court below to complete the proceedings in S.C.No.263 of 2016 within a period of four months from the date of receipt of copy of this order. The trial shall be conducted on a day-to-day basis and in accordance with the guidelines given by the Hon'ble Supreme Court in Vinod Kumar v. State of Punjab reported in 2015 3 SCC 220. If any of the accused persons who are on bail do not report at the time of hearing and are adopting dilatory tactics, it is open to the trial Court to insist upon the presence of the accused and they can always be remanded to custody, as laid down by the Hon'ble Supreme Court in State of Uttarpradesh v. Shambhu Nath Singh and Ors. reported in JT 2001 (4) SC 319.

Sd/-
Assistant Registrar (Insp.Cell)

//True Copy//

Sub Assistant Registrar

vs/jas

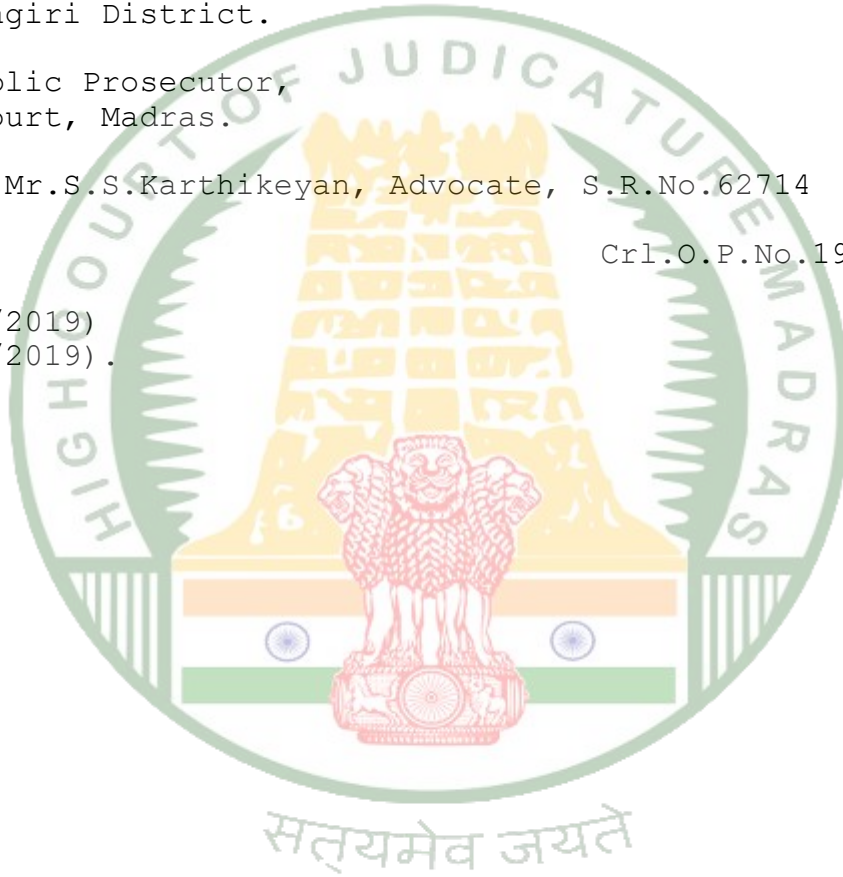
To

1. The Additional Sessions Judge,
Hosur.
2. The Judicial Magistrate No.II,
Hosur.
3. The Inspector of Police,
Hosur Town Police Station,
Hosur - 635 109
Krishnagiri District.
4. The Public Prosecutor,
High Court, Madras.

+2 ccs to Mr.S.S.Karthikeyan, Advocate, S.R.No.62714

Crl.O.P.No.19269 of 2019

NR(CO)
SSM(25/07/2019)
SSM(26/07/2019).



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