



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.12.2019

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cr1.O.P.No.34623 of 2019

Badugu Balaram
S/o.Late Pentayya

.. Petitioner/Petitioner/Accused

versus

State represented by
Inspector of Police,
Central Bureau of Investigation,
Special Crimes Branch,
Chennai - 90.
(RC-11(S) 2012-CBI/SCB/Chennai)

.. Respondent/Respondent/Complainant

Prayer: Criminal Original Petition u/s.482 Cr.P.C. praying to recall the non-bailable warrant issued on 30.10.2019 and pending against him in C.C.No.35 of 2014 on the file of the learned Chief Judicial Magistrate, Puducherry.

For Petitioner : Mr.V.V.Sairam

For Respondent : Mr.K.Srinivasan

Special Public Prosecutor (CBI cases)

O R D E R

Petitioner has filed the present revision seeking to recall the non-bailable warrant issued on 30.10.2019 and pending against him in C.C.No.35 of 2014 on the file of the learned Chief Judicial Magistrate, Puducherry.

2. Heard the learned counsel for the petitioner and the learned Special Public Prosecutor (CBI cases) for the respondent.



3. The petitioner was shown as one of the accused in C.C.No.35 of 2014 on the file of the learned Chief Judicial Magistrate, Puducherry. The petitioner was absent on the judgment date. Therefore, non-bailable warrant came to be issued against him. The petitioner has been convicted for offences u/s.147, 148, 332, 324 r/w 149 IPC and Section 3 of Prevention of Damage to Public Property Act and sentenced to 2 years R.I.

4. As rightly pointed out by the learned Special Public Prosecutor, the petitioner will have to necessarily appear before the Court below and receive the judgment. Therefore, the petitioner is permitted to appear before the Court below on 22.01.2020 and apply for recall of warrant. The learned Chief Judicial Magistrate will recall the warrant on the same day. After receiving the judgment, the petitioner has to file an appeal. Since the sentence of imprisonment imposed on the petitioner is only 2 years R.I., it will remain suspended for a period of thirty days thereafter. It is for the petitioner to file an appeal during this period.

5. The Criminal Original Petition is allowed on the above terms.

Sd/-
Deputy Registrar

//True Copy//

Vacation Officer

sri/gm

To

- 1.The Chief Judicial Magistrate,
Puducherry.
- 2.The Inspector of Police,
Central Bureau of Investigation,
Special Crimes Branch,
Chennai - 90.



3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.V.V.Sairam, Advocate sr.106856

CrI.O.P.No.34623 of 2019

gj(co)
nr 06/01/2020