



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE. N.SESHASAYEE

Crl.O.P.[MD].No.3175 of 2019

WEB COPY

1.P.Thuraiswamy
2.T.Arul Sobin
3.T.Arul Kumar

: Petitioners

Vs.

The State represented by
The Sub-Inspector of Police,
Vellichanthai Police Station,
Kanyakumari District.
[Crime No.6 of 2009]

: Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the learned Judicial Magistrate, Eraniel to consider the recall warrant issued on 12.12.2018 and seeks to recall the non bailable warrant in S.T.C.No.996 of 2010 pending on the file of the learned Judicial Magistrate, Eraniel, Kanyakumari District.

For Petitioners : Mr.P.Karthick
For Respondent : Mr.V.Neelakandan
Additional Public Prosecutor

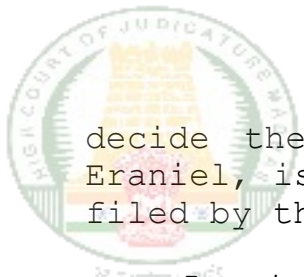
ORDER

This petition has been filed to direct the learned Judicial Magistrate, Eraniel to consider the recall warrant issued on 12.12.2018 and seeks to recall the non bailable warrant in S.T.C.No.996 of 2010 pending on the file of the learned Judicial Magistrate, Eraniel, Kanyakumari District.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor.

3. The learned counsel appearing for the petitioner submitted that the petitioners have been dispensed with appearing before the learned Judicial Magistrate, Eraniel in S.T.C.No.996 of 2010. He added that the petitioners have been regularly appearing before the trial Court in respect of that. When they did not appear pursuant to the order of this Court in Crl.O.P.(MD)No.12148 of 2009 dated 23.12.2009, the trial Court has issued a Non-bailable warrant for securing them.

4. The petitioner is now directed to move the trial Court with necessary petition to recall warrant and to make known facts now presented before this Court to the learned Judicial Magistrate, Eraniel, whereupon, the learned Judicial Magistrate, Eraniel, may



decide the issue as per law. The learned Judicial Magistrate, Eraniel, is further directed that any petition for recalling warrant filed by the petitioners shall be heard and decided on the same day.

5. With the above direction, this criminal original petition is disposed of.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)

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To

1. The Judicial Magistrate, Eraniel, Kanyakumari District.

2. The Sub-Inspector of Police,
Vellichanthai Police Station,
Kanyakumari District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

1 CC to M/s.P.KARTHICK, Advocate (SR-51285[F] dated 04/03/2019)

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DS/ /SAR- (12.04.2019) 2P 5C