



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 06.03.2019
CORAM :

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

WEB COPY

CRL O.P.(MD)Nos. 3490, 3531, 3449 & 3455 of 2019

CRL O.P.(MD)No. 3490 of 2019

1. Muniyandi @ Daniel

2. Anandaraj ... Petitioners

/Vs./

State represented through
The Inspector of Police,
Sankarankovil Town Police Station,
Tirunelveli District.
(Crime No.554 of 2011).

... Respondent

PRAYER: Criminal Original Petition - filed under Section 482 of the Criminal Procedure Code, to direct the learned Judicial Magistrate, Sankarankovil, Tirunelveli District, to recall the non-bailable warrant issued against the petitioners on 21.02.2019 in C.C. No.1159 of 2014 in Crime No.554 of 2011.

For Petitioners : Mr.M. Ramu
For Respondent : Mr.A.P.G. Ohm Chairma Prabhu
Government Advocate (Crl. Side)

CRL O.P.(MD)No. 3531 of 2019

Muniyandi @ Daniel ... Petitioner

/Vs./

State represented through
The Inspector of Police,
Panavadalichathiram Police Station,
Tirunelveli District.
(Crime No. 79 of 2017).

... Respondent

PRAYER: Criminal Original Petition - filed under Section 482 of the Criminal Procedure Code, to direct the learned Judicial Magistrate, Sankarankovil, Tirunelveli District, to recall the non-bailable warrant issued against the petitioner on 21.02.2019 in P.R.C. No. 26 of 2018, in Crime No.79 of 2017.



For Petitioner
For Respondent

: Mr.M. Ramu
: Mr.A.P.G. Ohm Chairma Prabhu
Government Advocate (Crl. Side)

CRL O.P. (MD) No. 3449 of 2019

WEB COPY

1. Anandaraj

2. Muniyandi @ Daniel

... Petitioners

/Vs./

State represented through
The Inspector of Police,
Sankarankovil Town Police Station,
Tirunelveli District.
(Crime No. 496 of 2011).

... Respondent

PRAYER: Criminal Original Petition - filed under Section 482 of the Criminal Procedure Code, to direct the learned Judicial Magistrate, Sankarankovil, Tirunelveli District, to recall the non-bailable warrant issued against the petitioners on 21.02.2019 in C.C. No. 169 of 2012 in Crime No. 496 of 2011.

For Petitioners
For Respondent

: Mr.M. Ramu
: Mr.A.P.G. Ohm Chairma Prabhu
Government Advocate (Crl. Side)

CRL O.P. (MD) No. 3455 of 2019

Muniyandi @ Daniel

... Petitioner

/Vs./

State represented through
The Inspector of Police,
Chinnakovilankulam Police Station,
Tirunelveli District.
(Crime No. 152 of 2011).

... Respondent

PRAYER: Criminal Original Petition - filed under Section 482 of the Criminal Procedure Code, to direct the learned Judicial Magistrate, Sankarankovil, Tirunelveli District, to recall the non-bailable warrant issued against the petitioner on 21.02.2019 in C.C. No. 466 of 2011, in Crime No.152 of 2011.

For Petitioner
For Respondent

: Mr.M. Ramu
: Mr.A.P.G. Ohm Chairma Prabhu
Government Advocate (Crl. Side)

**COMMON ORDER**

The Criminal Original Petitions have been filed to recall the warrant, dated 21.02.2019, issued by the learned Judicial Magistrate, Sankarankovil, Tirunelveli District against the petitioner/petitioners, in C.C. No.1159 of 2014, P.R.C No. 26 of 2018, C.C. No. 169 of 2012 and C.C. No. 466 of 2011, respectively. Due to which, the respondent police was trying to arrest the petitioners. Hence, the petitioners have filed these Criminal Original Petition under Section 482 of Cr.P.C., seeking a direction as stated above.

2. Heard the learned counsel appearing for the petitioners and learned Government Advocate (Criminal Side) and perused the materials available on record.

3. The Non-bailable warrant dated 21.02.2019 issued by the Trial Court in the following Cases and are tabulated below :

Sl. No.	Crime Number & Police Station	Accused Name	Case No.
1.	Crime No.554 of 2011, Town Police Station, Sankarankovil.	A-1 Muniyandi @ Daniel @ (Father) A-2 Anandaraj (son)	C.C. No.1159 of 2014
2.	Crime No.79 of 2017, Panavadalichathiram Police Station, Sankarankovil Taluk.	Muniyandi @ Daniel (Father)	P.R.C. No. 26 of 2018
3.	Crime No. 496 of 2011, Town Police Station, Sankarankovil.	A-1 Anandaraj (son) A-2 Muniyandi @ Daniel (Father)	C.C. No. 169 of 2012
4.	Crime No.152 of 2011, Chinnakovilankulam Police Station.	Muniyandi @ Daniel	C.C. No. 466 of 2011

The above said cases are pending before the learned Judicial Magistrate, Sankarankovil.

4. In the meantime, the petitioners have filed CRL.O.P[MD] Nos.6219 of 2018, 10613 of 2018, 10619 of 2018 and 14844 of 2018 before this Court and in those petitions, this Court passed an order of stay on all further proceedings in the cases pending before the learned Judicial Magistrate, Sankarankovil.



5. Be that as it may, the petitioners have not appeared before the Trial Court on 21.02.2019. Due to non-appearance of the petitioners, the learned Judicial Magistrate, Sankarankovil, issued non-bailable warrant. In as much as, this Court has not passed any order to dispense with for the present it is necessary for the petitioners to appear before the Trial Court. Therefore, the petitioners ought to surrender before the Trial Court and shall make necessary applications. Since all the matters are stayed by this Court in the aforesaid Criminal Original Petitions, the petitioners may have to move the concerned Trial Court and seek for dispensing with the appearance under Section 205 of the Cr.P.C.

6. The learned counsel appearing for the petitioners has given an undertaking that the petitioners will appear before the Court below regularly on all future hearing dates without fail.

7. Considering the undertaking given by the petitioners, the petitioners are directed to appear before the learned Judicial Magistrate, Sankarankovil, within a period of ten (10) days, from the date of this order, and to file a petition to recall the non-bailable warrant issued against them. The Magistrate concerned is directed to consider the same on merits and pass orders on the same day and till such time the petitioners may not be arrested by the respondent police.

8. With the above direction, these Criminal Original Petitions are disposed of. No costs.

Sd/-

Assistant Registrar (Records)

/ True Copy /

Sub Assistant Registrar

To

1. The Judicial Magistrate,
Sankarankovil, Tirunelveli District.
2. The Inspector of Police,
Sankarankovil Town Police Station,
Tirunelveli District.
3. The Inspector of Police,
Panavadalichathiram Police Station,
Tirunelveli District.



3. The Inspector of Police,
Chinnakovilankulam Police Station,
Tirunelveli District.

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

+2CC to Mr.M.RAMU, Advocate, SR.No.52387

Common Order made in
CRL.O.P.(MD) Nos. 3490, 3531,
3449 & 3455 of 2019
06.03.2019

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