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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2019

CORAM:
THE HONOURABLE MR.JUSTICE N.SESHASAYEE
Crl.O.P.[MD]No.6106 of 2019
and
Crl.M.P.(MD)No.3958 of 2019

T.Charles : Petitioner

/Vs./

1.Anitha Vidhyavathi
2.Benny Rajkumar : Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the Special Judge for Family Court, Madurai to consider the recall warrant petition filed under Section 70(2) Cr.P.C. to recall the non bailable warrant issued against the petitioner on 12.04.2019 in M.C.No.102 of 2007 on the same day of its presentation.

For Petitioner : Mr.M.Ramu

ORDER

The present petition is filed to recall the warrant issued against the petitioner for his non-appearance on a solitary day in M.C.No.102 of 2007 on the file of the Family Court, Madurai.

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 earlier, he had filed Crl.O.P.(MD)No.1446 of 2019, wherein he has undertaken to settle the entire dispute. Based on the statement, this Court has also directed notice to the respondents and the matter is pending. He added that even now he is willing to settle the matter once for all.

4. The petitioner's counsel is informed that the issue as innocuous as regarding the non bailable warrant issued against the petitioner for his failure to appear before the Court on a solitary occasion does not grant him the right to approach this Court under Sec.482 Cr.P.C. The petitioner is well advised to approach the Magistrate Court for appropriate remedy.

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5. With the above observations, this Criminal Original Petition is dismissed. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

The Special Judge for Family Court,
Madurai.

+1 CC to MR.M.RAMU, Advocate SR-62818.

Crl.O.P.[MD]No.6106 of 2019
26.04.2019

CS: (14/06/2019) 2P 3C

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