



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.06.2019

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WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN
CRL.O.P.(MD) .No.8593 of 2019

S.Karthikeyan @ Sivakarthikeyan : Petitioner/Sole Accused
Vs.

The State represented by

1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Vedaraniyam Sub Division,
Nagapattinam District.

2.The Inspector of Police,
Voimedu Police Station,
Nagapattinam District.
(Crime No.167 of 2016).

: Respondents

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code praying to direct the Special Court for SC/ST (Prevention of Atrocities) Act, i.e., the First Additional District and Sessions Judge at Thanjavur, to accept the surrender of the petitioner and consider his petition to recall the Non-Bailable warrant issued against the petitioner in Spl.S.C.No.64 of 2017 on his appearance.

For Petitioner : Mr.K.M.Karunakaran

For Respondents : Mr.K.K.Ramakrishnan,
Additional Public Prosecutor

ORDER

This petition has been filed seeking a direction to the Special Court for SC/ST (Prevention of Atrocities) Act, i.e., the learned First Additional District and Sessions Judge at Thanjavur, to accept the surrender of the petitioner and consider his petition to recall the Non-Bailable warrant issued against him in Spl.S.C.No.64 of 2017 on his appearance.

2. The grievance of the petitioner is that he is arrayed as the sole accused in Crime No.167 of 2016 on the file of the second respondent. Earlier, a non-bailable warrant has been issued against the petitioner. Now, he wants to appear before the Trial Court to recall the warrant and for that purpose, the present petition has been filed.

3. The learned Additional Public Prosecutor appearing for the respondents submitted that a non-bailable warrant is pending from 28.07.2017 and the petitioner is absconding accused and hence,

he is not entitled for the relief.

4. Considering the fact that non-bailable warrant is pending from the year 2017, it is always open to the petitioner to appear before the Trial Court and file a petition seeking to recall the warrant. In the event of petitioner filing any such petition, the Trial Court is directed to consider the same on merits and in accordance with law.

5. The Criminal Original Petition is disposed of with the above direction.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Special Court for SC/ST (Prevention of Atrocities) Act,
i.e., the First Additional District and Sessions Judge
at Thanjavur.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Vedaraniyam Sub Division,
Nagapattinam District.

3.The Inspector of Police,
Voimedu Police Station,
Nagapattinam District.

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

+1cc to Mr.K.M.KARUNAKARAN, Advocate, SR.No.70175

Order made in

CRL.O.P. (MD) .No.8593 of 2019

SML

KK/SAR/01.07.2019/2P-6C