



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 06.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE **V.BHARATHIDASAN**

Crl.O.P. (MD)No.11050 of 2019

Pon Sangar

... Petitioner/Sole Accused

Vs.

The State rep by
The Inspector of Police,
Lalapettai Police Station,
Karur District.

(Crime No.198 of 2017)

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the learned Sub Judge, Kulithalai, Karur District to accept the surrender of the petitioner and consider the warrant recall application on the date of surrender in connection with in S.C.No.99 of 2017 on the very same day.

For Petitioner : Mr.B.Jameel Arasu

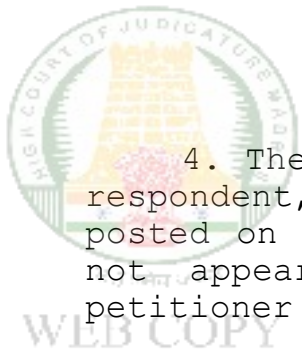
For Respondent : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

ORDER

This petition has been filed to direct the learned Sub Judge, Kulithalai, Karur District to accept the surrender of the petitioner and consider the warrant recall application on the date of surrender in connection with in S.C.No.99 of 2017 on the very same day.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent.

3. The petitioner is the sole accused in S.C.No.99 of 2017 pending on the file of the learned Sub Judge, Kulithalai, Karur District for the offence under Sections 279, 337 and 304(2). Due to ill health, the petitioner was unable to attend the Court on 01.11.2018. Hence, a Non Bailable Warrant was issued to the petitioner herein. To recall the same, the petitioner has filed the present petition.



4. The learned Government Advocate (Crl.Side) appearing for the respondent, on instructions, would submit that when the case was posted on 01.11.2018 witnesses were present but the petitioner did not appear. Hence, Non Bailable Warrant was issued to the petitioner and the case is pending for more than eight months.

4. Considering the fact that since the case is pending for more than eight months, the petitioner is directed to appear before the learned Sub Judge, Kulithalai, Karur District and file a petition seeking to recall the warrant. On filing of such application, the learned Magistrate is directed to consider the same and pass orders on merits on the very same day.

5. With this direction this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CS-II)

/TRUE COPY/

Sub Assistant Registrar

To

- 1.The learned Sub Judge, Kulithalai,
Karur District.
- 2.The Inspector of Police,
Lalapettai Police Station,
Karur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.B.JAMEEL ARASU, Advocate (SR-80415[F] dated 07/08/2019)

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JM/22.08.2019/2P/5C