



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.10.2019

CORAM

THE HONOURABLE Mr.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P (MD) No.14382 of 2019

Jeyakumar

.. Petitioner/Accused

Vs

Vellaichamy

... Respondent/Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to set aside the bailable warrant against the petitioner issued by the learned Judicial Magistrate No.1, Ramanathapuram, dated 09.08.2019 made in S.T.C.No. 53/2019 by allowing the above petition

For Petitioner : Mr.S.Sathya Chidambaram

O R D E R

This Criminal Original petition has been filed to set aside the bailable warrant issued by the learned Judicial Magistrate No.1, Ramanathapuram against the petitioner in S.T.C. No.53 of 2019.

2. In the proceedings initiated by the respondent under section 138 of the Negotiable Instrument Act, the trial court issued bailable warrant as against the petitioner in STC No. 53 of 2019. The learned counsel for the petitioner would submit that on the complaint lodged by the respondent without even issuing any summons to the petitioner, the trial court straight away issued bailable warrant to the petitioner.

3. It is seen that the trial court issued summons to the petitioner, which was returned as 'door locked'. Hence the trial court has issued bailable warrant to the petitioner on 09.08.2019.

4. Considering the facts and circumstances of the case, the petitioner is directed to appear before the learned Judicial Magistrate No.1, Ramanathapuram and file recall petition in the manner known to law. Further on receipt of same, the trial Court is directed to consider the same on its own merits in accordance with law and pass orders on the same day.



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5. With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CRL.SIDE)

// True Copy //

Sub Assistant Registrar (CS)

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To

The Judicial Magistrate No.1, Ramanathapuram

+1 CC to M/s.S.SATHYA CHIDAMBARAM, Advocate (SR-91762[F] dated 14/10/2019)

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