



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 25.10.2019

CORAM:

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

Crl.O.P.(MD)No.15480 of 2019

Vijaya Kumar

...Petitioner /Accused No.1

-Vs-

The Inspector of Police  
All Women Police Station,  
Cantonment, Trichy  
Cr No. 1/2019.

... Respondent /Complainant

**Prayer:** Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the learned Judicial Magistrate, Additional Mahila Court, Trichy, to recall the non Bailable Warrant issued against the Petitioner in C.C No.832 of 2019.

For Petitioner : Mr.R.Anand

For R1 and R2 : Mr.K.Suyambulinga Bharathi  
Government Advocate(crl.side)

**O R D E R**

This petition has been filed to direct the learned Judicial Magistrate, Additional Mahila Court, Trichy, to recall the non Bailable Warrant issued against the Petitioner, in C.C No.832 of 2019.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. side) for the respondent police.

3. The learned counsel appearing for the petitioner would submit that the petitioner was not able to appear before the learned Judicial Magistrate, Additional Mahila Court Trichy in respect of the case in C.C No.832 of 2019 and hence, non bailable warrant has been issued against the petitioner. He would further submit that the said absence is neither willful nor wanton and the petitioner shall appear before the Court below regularly on all future hearing dates without fail.

4. Considering the facts and circumstances, the petitioner is directed to appear before the learned Judicial Magistrate, Additional Mahila Court, Trichy, on the next hearing and to file a petition under Section 70(2) of Cr.P.C., to recall NBW already issued against him. On filing of such petition, the concerned learned Magistrate is directed to consider the same on its own merits in accordance with law and pass orders on the same day.



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

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Sd/-

Assistant Registrar (co)

// True Copy //

Sub Assistant Registrar (CS)

Ls

To

1.The Judicial Magistrate,  
Additional Mahila Court  
Trichy

2.The Inspector of Police  
All Women Police Station,  
Cantonment, Trichy.

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

+1 CC to M/s.K.VINAYAGAN, Advocate ( SR-94572[F] dated  
25/10/2019 )

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