



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.16987 of 2019

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Ammasai

... Petitioner/A4

Vs

State rep. by its Inspector of Police,
Mukkulam Police Station,
Virudhunagar District,
(in crime No.18/2011)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Sub Court, Aruppukottai to consider the warrant recall application if any, filed by the petitioner against the Non Bailable Warrant issued by the Sub Court, Aruppukottai in S.C.No.156/2018 dated 20.11.2018 on his surrender on the same day.

For Petitioner : M/s.A.Rajini
For Respondent : Mr.R.Anandharaj, APP

ORDER

This petition has been filed to direct the Sub Court, Aruppukottai to consider the warrant recall application if any, filed by the petitioner against the Non Bailable Warrant issued by the Sub Court, Aruppukottai in S.C.No.156/2018 dated 29.11.2018 on his surrender on the same day.

2. The learned counsel appearing for the petitioner would submit that on 20.11.2018, since the petitioner gone to various places for his work, he was not able to appear before the learned Sub Judge, Aruppukottai in respect of the case in S.C.No.156 of 2018 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 he undertakes that the petitioner shall appear before the Court below regularly on all future hearing dates without fail.

3. Considering the undertaking given by the learned counsel for the petitioner, the petitioner is directed to appear before the Sub Judge, Aruppukottai 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 Sub Judge is directed to consider the same on his own merits in accordance with law and pass orders on the same day.



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

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// True Copy //

Sd/-

Assistant Registrar (AD-II)

Sub Assistant Registrar(CS)

Arul

To

- 1.The Subordinate Judge, Aruppukottai.
- 2.The Inspector of Police,
Mukkulam Police Station,
Virudhunagar District,
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in

CRL.O.P (MD) No.16987 of 2019

20.11.2019

SMA/11/12/19/2P/4C