

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.08.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.3979 of 2020

Mukesh Moorthi

...Petitioner

-Vs-

The State by its,
Inspector of Police,
All Women Police Station,
Mannargudi.

... Respondent

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to set aside the proclamation order passed by learned Judicial Magistrate No.I, Mannargudi, Thiruvarur District, in CC.No.17 of 2015 dated 03.04.2018.

For Petitioner : Mr.V.Ramamurthy
For Respondent : Mr.S.Karthikeyan
Additional Public Prosecutor

ORDER

This petition has been filed to set aside the proclamation order passed by learned Judicial Magistrate No.I, Mannargudi, Thiruvarur District, in C.C.No.17 of 2015 dated 03.04.2018.

2.The learned counsel appearing for the petitioner would submit that the petitioner is the 1st accused in C.C.No.17 of 2015 on the complaint lodged by his wife and he along with other accused persons have been charged for the offence under Sections 498A and 406 of IPC. The petitioner is now working at London and as such he could not be able to present before the trial Court. Therefore, the trial Court issued Non-Bailable Warrant as against the 1st accused. Since the petitioner is residing at UK, the learned Magistrate issued proclamation notice to secure and produce the petitioner before the trial Court. However, the learned counsel for the petitioner would submit that now the petitioner is ready and willing to appear before the trial Court and the bail petition may be directed to be received and may be disposed of on the same day.

3.The learned Additional Public Prosecutor would submit that already the other accused persons filed a quash petition before this Court. Considering the above submission, the petitioner is directed to appear before the trial Court in C.C.No.17 of 2015 on the file of the learned Judicial Magistrate No.I, Mannargudi, Thiruvarur District and on the date of filing of the petition for recall the Non-Bailable Warrant, the trial Court is directed to dispose the petition on the same day on merits in accordance with law.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gbi

To

- 1.The Inspector of Police,
All Women Police Station,
Mannargudi.
- 2.The Judicial Magistrate No.I,
Mannargudi, Thiruvarur District.
- 3.The Public Prosecutor,
High Court, Madras.

VSNII (CO)
RMP (05/10/2020)

CrI.O.P.No.3979 of 2020

WEB COPY