

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2020

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.6099 of 2020

K.Palani,

... Petitioner/A5

Vs

The Deputy Superintendent of Police,
Kolathur Police Station,
Salem District.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the Principal District Judge, Salem, to consider the Non Bailable warrant against the petitioner in SPL.S.C.No.8 of 2018 pending on the file of the Principal District Judge, Salem District.

For Petitioner : M/s.Karan and Uday

For Respondent : M.Mohamed Riyaz,

Additional Public Prosecutor

O R D E R

This Criminal Original petition has been filed to direct the Learned Principal District Court, Salem District, to consider the petition filed by the petitioner to recall the Non Bailable Warrant, which was issued on 23.07.2018 in SPL.S.C.No.8 of 2018 on the same day of surrender.

2. The learned counsel appearing for the petitioner would submit that on 23.07.2018, due to illness, the petitioner was not able to appear before the Principal District Judge, Salem District, in respect of the case in SPL.S.C.No.8 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 Principal District Judge, Salem District, 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.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kv

To

- 1.The Principal District Court,
Salem District.
 - 2.The Deputy Superintendent of Police,
Kolathur Police Station,
Salem District.
 - 3.The Public Prosecutor,
High Court, Madras.
- +1 CC to Mr.Karan and Uday, Advocate, sr 23737

Crl.O.P.No.6099 of 2020

SAI (CO)
AT (21/05/2020)

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