



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 23.03.2020
CORAM
THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

WEB COPY

CrI.O.P.No.6690 of 2020

R.Ganesan

.. Petitioner

Vs

1.The Inspector of Police,
Suchindram Police Station,
Kanniyakumari District

2.V.R.Rajagopal

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the learned Judicial Magistrate No.3, Salem District to recall non bailable warrant issued to the petitioner dated 07.02.2015 in CC.No.126 of 2009 pending on the file of the Judicial Magistrate No.3, Salem District.

For Petitioner : Mr.Karan and Uday
For R1 : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

O R D E R

This Criminal Original petition has been filed to direct the learned Judicial Magistrate No.3, Salem District to recall non bailable warrant issued to the petitioner dated 07.02.2015 in CC.No.126 of 2009 pending on the file of the Judicial Magistrate No.3, Salem District.

2. The learned counsel appearing for the petitioner would submit that on 07.02.2015, due to serious illness, the petitioner was not able to appear before the learned Judicial Magistrate No.3, Salem District in CC.No.126 of 2009 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 learned Judicial Magistrate No.3, 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 Judicial Magistrate No.3, Salem District 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.

s/d-
Assistant Registrar

True Copy
Sub-Assistant Registrar

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To

1. The learned Judicial Magistrate No.3,
Salem District

2. The Inspector of Police
Suchindram Police Station
Kanniyakumari

3. The Chief Judicial Magistrate
Salem

4. The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.Karan & Uday Advocate sr24619

Cr1.O.P.No.6690 of 2020

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