

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No. 22374 of 2017

A.Jaganathan

... Petitioner/Accused

Vs.

L.Selvaraj,
S/o.Loganathan,
D.No.32, Weavers Colony 5th Street,
Tiruchengode Town & Taluk,
Namakkal District.

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the learned Fast Track Judge (Magistrate Level), Tiruchengode to furnish certified copy of Judgment passed on 11.04.2016 in S.T.C.No.121 of 2015 to the petitioner's counsel in C.A.No.41 of 2016.

For Petitioner : Mr.T.L.Thirumalaisamy

For Respondent : Mr.K.Prabakar
Additional Public Prosecutor

ORDER

This petition has been filed for a direction to direct the learned Fast Track Judge, Tiruchengode to furnish certified copy of the Judgment passed in STC.No.121 of 2015 dated 11.04.2016.

2. It is seen that the petitioner is an accused in S.T.C.No.121 of 2015 initiated for the offences punishable under Section 200 of Criminal Procedure Code and Section 138 and 142 of Negotiable Instruments Act, 1881 by the respondent herein. The petitioner was absent before the trial Court. Therefore while convicting the petitioner for the offences punishable under Section 200 of Criminal Procedure Code and Section 138 and 142 of Negotiable Instrument Act in S.T.C.No.121 of 2015, the trial Court issued Non-bailable Warrant as against the petitioner. Even thereafter the petitioner did not take any steps to recall the Non-bailable Warrant pending against him. While pending Non-bailable Warrant, the petitioner applied for certified copy of

the Judgment passed in S.T.C.No.121 of 2015 and the same was returned for the reason that Non-bailable Warrant is pending as against the petitioner in S.T.C.No.121 of 2015.

3. Therefore, the Non-bailable Warrant is pending as against the petitioner, the learned Magistrate Court/trial Court rightly rejected the certified copy of the Judgment in S.T.C.No.121 of 2015. Accordingly, the direction cannot be issued and the petition is devoid of merits. Hence, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar

//True copy//

Sub Assistant Registrar

arb

To

1. The Fast Track Judge (Magistrate Level),
Tiruchengode.
2. The Public Prosecutor,
High Court, Madras.

CrI.O.P.No. 22374 of 2017

MR (CO)
GMY (27/07/2020)

सत्यमेव जयते

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