



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **10.01.2020**

CORAM:

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.(MD)No.400 of 2020

WEB COPY

G.Jayanthi

... Petitioner/Accused

Vs

PS.Govindaraj

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the learned Judicial Magistrate No.I, Fast Track Court, Madurai to recall the Non Bailable Warrant dated 27.02.2019 in STC No. 454 of 2018 on the same day filing recall petition filed by the petitioner.

For Petitioner : Mr.K.Samidurai

ORDER

This petition has been filed to direct the learned Judicial Magistrate No.I, Fast Track Court, Madurai to recall the Non Bailable Warrant dated 27.02.2019 in STC No. 454 of 2018 on the same day of filing recall petition by the petitioner.

2.The learned counsel appearing for the petitioner would submit that the petitioner is a accused facing trial in STC No.454 of 2018 for the offences under Sections 138 r/w.142 of the Negotiable Instrument Act. He would further submit that the petitioner was unable to appear before the trial court on 27.02.2019 and she filed petition under Section 317 Cr.P.C and the same was dismissed by the learned Magistrate and the learned Magistrate has issued Non Bailable Warrant against the petitioner. He would also submit that petitioner's husband is no more and due to certain problems in her family she was unable to appear before the trial court. Hence, this present petition is filed.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

4.At this Juncture, the learned counsel appearing for the petitioner would submit that the petitioner is prepared to surrender before the trial Court and cooperate with the progress of the trial.

5.Taking into consideration submission made by the learned counsel for the petitioner, the petitioner is directed to surrender before the learned Judicial Magistrate No.I, Fast Track Court, Madurai, on or before 28.01.2020. On such surrender, the learned



Judicial Magistrate No.I, Fast Track Court, Madurai, shall consider the application for recalling the Non-Bailable Warrant on the same day of her surrender and pass orders in accordance with law.

6.In the result, this Criminal Original Petition stands allowed.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

The Judicial Magistrate No.I,
Fast Track Court, Madurai

+1 CC to Mr.K.SAMIDURAI, Advocate (SR-1422[F] dated 10/01/2020)

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