



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2020

CORAM:

WEB COPY THE HONOURABLE **MR. JUSTICE A.D.JAGADISH CHANDIRA**

Crl.O.P.(MD).No.1622 of 2020

Arun D Shahayam

... Petitioner/Accused No.1

Vs.

State represented by,
The Inspector of Police,
All Women Police Station,
Sattur,
Virudhunagar District.
(Crime No.5 of 2018)

... Respondent/Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to direct the learned Judicial Magistrate No.1, Sattur, to consider the petitioner's petition to recall the Non Bailable Warrant issued in C.C.No.51 of 2018 dated 26.09.2019 on the same day of his surrender.

For Petitioner : Mr.N.Anandakumar

For Respondent : Mr.S.Chandrasekar
Additional Public Prosecutor

O R D E R

The Criminal Original Petition has been filed to direct the learned Judicial Magistrate No.1, Sattur, to consider the petitioner's petition to recall the Non Bailable Warrant issued in C.C.No.51 of 2018 dated 26.09.2019 on the same day of his surrender.

2.The learned counsel appearing for the petitioner would submit that there is a matrimonial dispute between the petitioner and his wife, in respect of which a case has been registered in Crime No.5 of 2018 by the respondent police for the offences under Sections 498(A), 506(i) and 406 of IPC and Section 4 of Dowry Prohibition Act, 1961, and the same has been taken on file in C.C.No.51 of 2018 by the learned Judicial Magistrate No.1, Sattur. He would further submit that the petitioner is working as a Financial Analyst in American Express Indian Private Company at Delhi. During pendency of the trial, the petitioner was unable to



appear before the concerned Court twice, due to his illness and other official difficulties,. Hence, Non Bailable Warrant has been issued against the petitioner on 26.09.2019.

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 without prejudice to his rights and contentions, 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, Sattur, on the next hearing date. On such surrender, the learned Judicial Magistrate No.I, Sattur, shall consider the application for recalling the Non-Bailable Warrant on the same day of his 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

To

1.The Judicial Magistrate No.1, Sattur.

2.The Inspector of Police,
All Women Police Station,
Sattur,
Virudhunagar District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1. C.C. to M/S.N.ANANDA KUMAR, Advocate SR.No. 4144

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31.01.2020

VSG

JM/VR/SAR /31.01.2020/2P/5C

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