



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.02.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P (MD) No.2375 of 2020

WEB COPY

Moorthy

... Petitioner/A1

Vs

State represented by,
The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
(Crime No.500 of 2006)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Judicial Magistrate, Manamadurai to recall the non-bailable warrant issued against the petitioner dated 19.12.2016 in C.C.No.119 of 2007 on the file of the learned Judicial Magistrate, Manamadurai.

For Petitioner : Mr.A.K.Manickam
For Respondent : Mr.S.Chandrasekar
Additional Public Prosecutor

O R D E R

This petition has been filed seeking direction to the learned Judicial Magistrate, Manamadurai to recall the non-bailable warrant issued against the petitioner dated 19.12.2016 in C.C.No.119 of 2007 on the file of the learned Judicial Magistrate, Manamadurai.

2.The learned counsel appearing for the petitioner would submit that the petitioner is an accused No.1 facing trial in C.C.No.119 of 2007 for the offences under Sections 147, 365, 374 of IPC and Section 18 of Bonded Labour System (Abolition) Act, 1976 @ 147, 365, 374 of IPC. Though the case of the year 2007, there was a delay on the side of the prosecution in producing the witnesses and in the mean while A2 and A7 in this case have expired. On 19.12.2016, due to viral fever, the petitioner was unable to appear before the trial Court. Hence, the trial Court has issued Non Bailable warrant against the petitioner. Apprehending that the petitioner will be arrested and remanded to judicial custody he did not appear before the Court. Hence, this present petition is filed.

3. Heard the learned counsel appearing 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 the submission made by the learned counsel for the petitioner, the petitioner is directed to surrender before the learned Judicial Magistrate, Manamadurai, on the next hearing date. On such surrender, the learned Judicial Magistrate, Manamadurai, 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.With the above direction, this criminal original petition is disposed of.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsg

To

1. The Judicial Magistrate,
Manamadurai.
2. The Chief Judicial Magistrate,
Sivagangai District
3. The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.A.K.MANICKAM, Advocate (SR-5632[F] dated 11/02/2020)

Order made in
CRL.O.P (MD) No.2375 of 2020
11.02.2020

MK (25.02.2020) 2P 6C