



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.4134 of 2020

WEB COPY

T.Prabakaran

... Petitioner/Accused

Vs

A.Chandran

... Respondent/Complainant

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the learned Judicial Magistrate (Fast Track Court), Karur, Karur District to consider and pass orders on the petition filed by the petitioner under Section 70(2) for recalling the non bailable warrant issued in C.C.No.169 of 2018 on the same day.

For Petitioner : Mr.M.Karunanithi

ORDER

The petitioner was convicted and sentenced for the offence under Section 138 of the Negotiable Instrument Act in C.C.No.169 of 2018 on the file of the Judicial Magistrate (Fast Track Court), Karur District. Warrant has been issued against the petitioner.

2.The only course open to the petitioner is to move an appeal. If the petitioner had already filed an appeal, he must work out his remedies before the Appellate Court. The question of filing the petition under Section 482 of Cr.P.C., in respect of non bailable warrant issued against him before the jurisdictional Magistrate, does not arise. Filing of this petition is misconceived. Therefore, leaving open the petitioner's right, this criminal original petition stands dismissed.

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Assistant Registrar(AD II)

// True Copy //

/ /2020

Sub Assistant Registrar

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To

The Judicial Magistrate (Fast Track Court),
Karur, Karur District.

<https://hcservices.ecourts.gov.in/hcservices/>



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+1 CC to M/s.M.KARUNANITHI, Advocate (SR-10406[F] dated
06/03/2020

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