



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

WEB COPY

Crl.O.P.[MD]No.7070 of 2020

Gnanavel

: Petitioner/
Accused Rank not Known

Vs.

The State represented by its
The Sub Inspector of Police,
Nerkuppai Police Station,
Sivagangai District.
(Crime No.24 of 2014)

: Respondent/Complainant

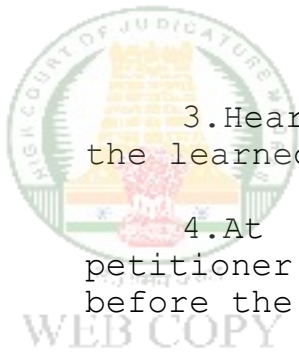
PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, praying to direct the learned District Munsif cum Judicial Magistrate Court, Singampunari to consider the recall petition to be filed by the petitioner for recalling the non bailable warrant dated 30.09.2019 issued as against the petitioner in connection with the criminal case in C.C.No.11 of 2020 (renumbered) on the file of the learned District Munsif cum Judicial Magistrate Court, Singampunari on the very same date of filing of above recall petition and to release the petitioner on bail on the very same day itself.

For Petitioner	: Mr.M.S.Jeyakarthik
For Respondent	: Mr.S.Chandrasekar
	Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the learned Judicial Magistrate No.1, Singampunari to set aside the order of non bailable warrant and recall the same issued in C.C.No.11 of 2020, dated 30.09.2019 insofar as the petitioner is concerned.

2.The learned counsel appearing for the petitioner would submit that the petitioner is an accused facing trial in C.C.No.11 of 2020 for the offence under Section 430 of IPC. He would further submit that during the time of taking cognizance by the learned Judicial Magistrate No.1, Singampunari, the petitioner was in Kuwait for his work purpose. Without knowing the said situation, the learned Judicial Magistrate No.1, Singampunari issued non bailable warrant against the petitioner. The petitioner has no knowledge about the case, in which, he was cited as an accused.



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 co-operate with the progress of trial.

5. Considering the submission made by the petitioner, the petitioner is directed to surrender before the learned Judicial Magistrate No.1, Singampunari on the next hearing date i.e., 30.07.2020. On such surrender, the learned Judicial Magistrate No.1, Singampunari shall consider the application for recalling the non bailable warrant on the same day of surrender and pass orders in accordance with law.

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

Sd/-

Assistant Registrar (A.S)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Judicial Magistrate, Singampunari.

2. The Sub Inspector of Police,
Nerkuppai Police Station,
Sivagangai District.

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

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CS (13.07.2020) 2P 4C