



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.10.2020

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.10834 of 2020

1.Muthu Irulayee
2.Alagu Eswari
3.Gomathi
4.Kalai Eswaran
5.Raja

... Petitioners/Accused Nos.3 to 7

Vs

State through the Sub Inspector of Police,
D3 Avaniyapuram Police Station,
Madurai District.
(In Cr.No.496 of 2014)

... Respondent/Respondent

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the Judicial Magistrate No.VI, Madurai to consider the warrant recall petition in connection with a case in C.C.No.285 of 2014 on the very same day.

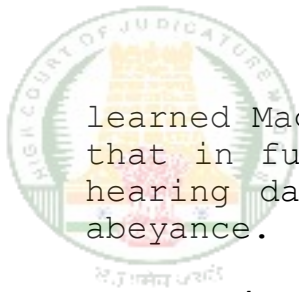
For Petitioners: Mr.V.Palani
For Respondent : Mr.V.Neelakandan,
Additional Public Prosecutor.

O R D E R

Heard the learned counsel on either side.

2.The petitioners are facing trial in C.C.No.285 of 2014 on the file of the learned Judicial Magistrate No.VI, Madurai, for the offences under Sections 147, 294(b), 323 and 506(ii) of I.P.C. The Non Bailable Warrant was issued against the petitioner on 17.03.2020. The next hearing date is 13.10.2020. The petitioner wants this Court to issue appropriate direction so that the NBW is considered and recalled on the same day.

3.Since we are in pandemic times and since the allegations against the petitioners are not that serious, I direct the petitioners to appear before the learned Trial Magistrate on the next hearing date and apply for recall of warrant. The learned Magistrate shall recall the warrant on the same day. The petitioners shall not be remanded. However, it is open to the



learned Magistrate to impose appropriate terms on the petitioners so that in future such issues are avoided. It is stated that the next hearing date is 13.10.2020. Till then, the NBW shall be kept in abeyance.

4.The criminal original petition is allowed on these terms.

Sd/-

Assistant Registrar (CO)

// 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 No.VI,
Madurai.
- 2.The Sub Inspector of Police,
D3 Avaniyapuram Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.V. PALANI, Advocate (SR-19265[F] dated 07/10/2020)

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NR (12.10.2020) 2P 5C