



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.12.2020

CORAM:

WEB COPY

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

Crl.O.P. (MD).No.15563 of 2020

Pandi @ Kattapandi

...Petitioner/Sole Accused

-Vs-

State represented through
The Inspector of Police
Keelarajakularaman Police Station
Virudhunagar District
(Crime No.329 of 2019)

...Respondent/Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to direct the learned Judicial Magistrate, Rajapalayam to accept and pass orders on the warrant recall petition filed by the petitioner under Section 70(2) of Cr.P.C on the same day of his surrender before the Judicial Magistrate, Rajapalayam in C.C.No.150 of 2020.

For Petitioner : Mr.R.Rajamohan

For Respondent : Mr.V.Neelakandan
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the learned Judicial Magistrate, Rajapalayam to accept and pass orders on the warrant recall petition filed by the petitioner under Section 70(2) of Cr.P.C on the same day of his surrender before the Judicial Magistrate, Rajapalayam in C.C.No.150 of 2020.

2.The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that the petitioner is absent on 09.12.2020 during the trial in C.C.No.150 of 2020 before the learned Judicial Magistrate, Rajapalayam. On account of his absence, Non-Bailable Warrant has been issued and the next hearing date is 28.12.2020.

3.The learned counsel appearing for the petitioner undertakes that the petitioner shall appear before the Court below regularly on all future hearing dates without fail.



4.Considering the undertaking given by the petitioner, the petitioner is permitted to appear before the learned Judicial Magistrate, Rajapalayam on next hearing date and to file a petition to recall the NBW issued against him. The concerned Magistrate is directed to recall the warrant on the same day. If the petitioner fails to appear before the Court below on next hearing date, this order shall stand automatically cancelled.

5.Accordingly, the Criminal Original Petition is allowed.

Sd/-

Assistant Registrar(Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

msa

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
Rajapalayam, Virudhunagar District.

2.The Inspector of Police
Keelarajakularaman Police Station
Virudhunagar District

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

+1 CC to M/s.R.RAJA MOHAN, Advocate (SR-27124[F] dated 23/12/2020)

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