

THE HON'BLE JUSTICE G.SRI DEVI

CRIMINAL PETITION No.581 of 2020

ORDER:

This Criminal Petition, under Sections 482 Cr.P.C., is filed seeking to quash the docket dated 09.01.2020 in C.C.No.621 of 2014 on the file of the learned Additional Judicial First Class Magistrate, Parkal.

2. Heard learned counsel for the petitioner, learned Additional Public Prosecutor appearing for the respondent-State and perused the record.

3. Learned counsel for the petitioner submitted that without serving summons to the petitioner, on the representation of the Police, the learned Magistrate issued non-bailable warrant to the petitioner; that the petitioner had no knowledge regarding the same and he was not issued any summons to attend the Court as he was let off by the court with a direction to attend the Court on receipt of summons; and that therefore, the absence of the petitioner before the learned Magistrate was not at all intentional and prayed to allow the Criminal Petition.

4. Learned Additional Public Prosecutor opposed to allow this application.

5. Having regard to the facts and circumstances of the case, without delving into the merits of the case, this Court is inclined to take a lenient view and allow this Criminal Petition.

6. Accordingly, the Criminal Petition is allowed and docket dated 09.01.2020 in C.C.No.621 of 2014 on the file of the learned Additional Judicial First Class Magistrate, Parkal, is hereby set aside. The petitioner shall surrender before the trial Court positively on 10.02.2020 and on such surrender, he shall be released on bail on his furnishing a personal bond to the tune of Rs.25,000/- (Rupees Twenty five thousand only) with two sureties to the like amount each to the satisfaction of the said Court. The petitioner shall personally appear before the Court concerned on each and every date of hearing till the completion of trial. If the petitioner fails to comply with any of the aforesaid conditions, the bail granted to the petitioner shall automatically stand cancelled.

6. Subject to the above, the Criminal Petition is allowed.

7. Miscellaneous petitions, if any, pending in this criminal petition, shall stand closed.

28th January, 2020
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JUSTICE G.SRI DEVI