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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 30.09.2021

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

CrI.OP.No.2173 of 2016 & CrI.M.P.No.10505 of 2015

[Video Conferencing]

S.Srinivasan

... Petitioner

Versus

The Inspector of Police,
CSCID Food Cell,
Cuddalore Unit,
Cuddalore.

... Respondent

Prayer : - Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records in C.C.No.46 of 2014 pending trial before the Learned Judicial Magistrate No.I, Cuddalore and quash the same.

For Petitioner : Mr.M.Balaji

For Respondent : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

This petition has been filed by the 5th accused against whom non-bailable warrant is pending before the trial Court. This relates to seizure of 15750 kgs of PDS rice in a Tarus Lorry bearing Registration No.TN 04 AE 7419. It is also seen that against A1, A2, A3, A5 and A7 non-bailable warrants are pending.

2.The present petitioner has taken a conscious decision not to appear before the trial Court, I would not encourage any petition filed by him before this Court. Let him first appear before the trial Court and the learned Judicial Magistrate No.I, Cuddalore, may take a decision whether to recall warrant or to dismiss the petition seeking to recall warrant. That privilege is left entirely to the discretion of the learned Judicial Magistrate.



3. With the above observations, the present Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
CSCID Food Cell,
Cuddalore Unit,
Cuddalore.
2. The Public Prosecutor
High Court, Madras.
3. The Judicial Magistrate No.I,
Cuddalore.

Cr1.OP.No.2173 of 2016

NK(CO)
SU(02/11/2021)