



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.04.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGO VAN**
CrI.O.P.(MD)No.5261 of 2021

WEB COPY

1.C.Murugesh @ Umarani	...1 st Petitioner/Accused-1
2.Ganesan	...2 nd Petitioner/Accused-2
3.Ananthu	...3 rd Petitioners/Accused-7

Vs.

Periyasamy ...Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to recall warrant issued in C.C.No.2 of 2021, dated 18.02.2021 on the file of the learned Judicial Magistrate, Athoor, without insisting the presence of petitioners.

For Petitioners : Mr.I.Arockia Selvaraj

ORDER

This petition is filed seeking an order of recalling Non-Bailable Warrant issued by the learned Judicial Magistrate, Athoor in C.C.No.2 of 2021, dated 18.02.2021.

2.According to the learned counsel for the petitioners, taking cognizance of the case by the trial Court itself is illegal. Since the alleged cause of action arose within the jurisdiction of Srirangam, Trichy and without proper summons, warrant has been issued against them and now they are located in Chennai and due to the present Covid-19 pandemic situation, they are not in a position to approach the Court in time and the next date of hearing is also fixed on 21.04.2021. Hence, the petitioners request the Court to fix the date for the appearance before the trial Court and workout their remedies.

3.Considering the limited request made by the learned counsel for the petitioners, there shall be a direction to the petitioners to approach the trial Court within a period of fifteen days from the date of receipt of a copy of this order and on appearance before the trial Court, the trial Court may consider their applications on merits and on the same day itself. Till then, the Non-Bailable Warrant issued by the trial Court shall stands stayed.



4.With the above direction, the Criminal Original Petition is disposed of.

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// True Copy //

Sd/-

Assistant Registrar (Records)

/ /2021

Sub Assistant Registrar(CS)

sjj

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 District Munsif Cum Judicial Magistrate, Athoor.
- 2.The Chief Judicial Magistrate, Dindigul

Crl.O.P. (MD)No.5261 of 2021

15.04.2021

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