



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2021

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Crl.O.P.(MD)No.8895 of 2021

P.Pushpam

... Petitioner / Accused No.4

Vs.

The Deputy Superintendent of Police,
Economic Offence Wing II,
Karur.

(Crime No.4 of 2008)

... Respondent / Respondent

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to recall the non-bailable warrant of arrest made in C.C.No.12 of 2010 dated 12.03.2021 on the file of the learned Special Judge, TNPID Act, Madurai.

For Petitioner	: Mr.R.Murali
For Respondent	: Mr.T.Senthil Kumar, Additional Public Prosecutor.

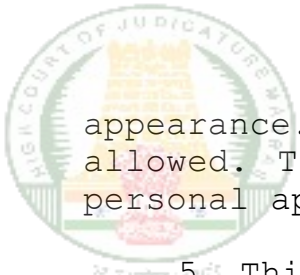
O R D E R

Heard the learned counsel on either side.

2. The petitioner herein is figuring as fourth accused in C.C.No.12 of 2010 on the file of the Special Judge, TNPID Act, Madurai. The accused have filed a petition under Section 5-A of the Tamil Nadu Protection of Interests of Depositors Act, 1997 for compounding the matter and the same was allowed. The report of the competent authority is awaited. In the meanwhile, on account of the failure on the part of the petitioner to appear, non-bailable warrant came to be issued. The petitioner wants this Court to permit her to appear through her counsel for recall of the same. The petitioner wants that her personal appearance before the Court below should not be insisted upon.

3. The petitioner is a woman aged about 80 years. The petitioner on account of her old age and other reasons is unable to move out of her home. She is based in Karur District. Taking note of the special facts and circumstances obtaining in this case, the personal appearance of the petitioner before the Court below is dispensed with.

4. The petitioner is directed to apply for recall of warrant under Section 70(2) of Cr.P.C. through her counsel. The Court below shall number the same and shall not insist on her personal



appearance. The petition for recall of warrant shall also be allowed. Till the report is filed by the competent authority, the personal appearance of the petitioner shall not be insisted upon.

5. This criminal original petition is disposed of.

WEB COPY

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PMU

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 Special Judge,
TNPID Act, Madurai.
2. The Deputy Superintendent of Police,
Economic Offence Wing II,
Karur.
3. The Competent Authority/ District Revenue Officer,
Karur, Karur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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KB(13.12.2021) 2P 5C