



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.10.2021

CORAM:

THE HONOURABLE MRS.JUSTICE S.ANANTHI

Crl.O.P.(MD)No.15885 of 2021

S.Paramasivam

... Petitioner/Accused No.I

.Vs.

The State
Represented by Inspector of Police,
East Police Station, Kovilpatti,
Thoothukudi District.
Crime No.189/2013

... Respondent/Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, directing to consider the recall of the Non Bailable warrant petition on the same day in C.C.No.155 of 2016 on the file of Judicial Magistrate No.I, Kovilpatti in Crime No.189 of 2013 on the file of the respondent police on the same day.

For Petitioner	: Mr.L.Jeen Felix
For Respondent	: Mr.A.Thiruvadi Kumar Additional Public Prosecutor

O R D E R

This petition has been filed seeking direction to consider the recall of the Non Bailable warrant petition on the same day in C.C.No.155 of 2016 on the file of Judicial Magistrate No.I, Kovilpatti in Crime No.189 of 2013 on the file of the respondent police on the same day.

2.The learned counsel for the petitioner submitted that due to physical ailments and Covid - 19 pandemic situation the petitioner is unable to appear before the trial Court for hearing. It neither wilful nor wanton. But, non bailable warrant has been issued against the petitioner on 16.09.2021. Hence, a direction may be issued to recall the non bailable warrant.

3.The prayer sought for in this petition is not maintainable. The petitioner may workout his remedy before the trial Court itself through appropriate proceedings.



4. With the above directions, this criminal original petition is dismissed.

WEB COPY

// True Copy //

Sd/-

Assistant Registrar (Per.Admn) /
Vacation Officer

/ /2021
Sub Assistant Registrar(CS)

TM/NSR

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 No.I, Kovilpatti.
2. The Inspector of Police,
East Police Station, Kovilpatti,
Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-32033[F]
dated 20/10/2021)

Crl.O.P. (MD) No.15885 of 2021
12.10.2021

NSMCO)
GC(25.10.2021) 2P 5C