



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.11.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl O.P. (MD)No.18084 of 2021

S.Paramasivam

... Petitioner/1st Accused

Vs.

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

... Respondent/Complainant

Prayer : Criminal Original Petition is filed under Section 482 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.S.C.Herold Singh

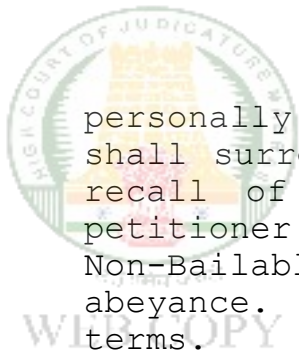
For Respondent : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

The petitioner herein is figuring as first accused in C.C.No.155 of 2016 on the file of Judicial Magistrate No.I, Kovilpatti.

2. The petitioner states that on 15.11.2021, he could not appear before the Court below and a petition was filed under Section 317 Cr.P.C to condone his absence. However, the Court below declined to accept the said petition and issued Non-Bailable Warrant. The petitioner is ready to surrender before the Court below.

3. The criminal case is of the 2016. There are only 9 witnesses named in the final report. The learned Additional Public Prosecutor states that the trial itself can be concluded on merits and in accordance with law within a period of two months. The next hearing date is 02.12.2021. The petitioner's counsel gives an undertaking that the petitioner will attend all the hearings



personally in future. This undertaking is recorded. The petitioner shall surrender before the Court below on 02.12.2021 and apply for recall of warrant. The Non-Bailable Warrant issued against the petitioner shall be recalled at the end of the day. Till then, the Non-Bailable Warrant issued against the petitioner shall be kept in abeyance. This Criminal Original Petition is disposed of on these terms.

Sd/-

Assistant Registrar(T & P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mga/csm

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.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-36233[F] dated 29/11/2021)

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SJ(CO)

TR(30.11.2021) 2P 5C