



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.18560 of 2021

WEB COPY

Vinojan

... Petitioner/Accused No.3

Vs

The State represented through
The Inspector of Police,
Ganesh Nagar Police Station,
Pudukkottai District.
(In Crime No.243 of 2007)

... Respondent/Complainant

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the learned Additional Sub Judge, Pudukottai to accept his surrender and warrant recall application and consider on the same day on merits in S.C.No.2 of 2018 on the file of the learned Additional Sub Judge, Pudukottai.

For Petitioner	: Mr.S.M.A.Jinnah
For Respondent	: Mr.M.Sakthi Kumar
	Government Advocate (Crl.Side)

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent.

2.The petitioner is figuring as third accused in S.C.No.2 of 2018 on the file of the Additional Sub Court, Pudukkottai.

3.The petitioner was absconding and hence, non bailable warrant was issued against him. Proclamation warrant was also issued against the petitioner on 05.11.2021. It is at this stage this Criminal Original Petition has been filed.

4.The petitioner's counsel states that he was not able to appear before the court below because he was detained as a goonda. Later, the detention order was revoked by the advisory board itself. He would further state that the occurrence had taken place way back in the year 2007, while the final report was filed in the year 2018. According to him, L.W.1 and L.W.2 are presently abroad. It is stated that the next hearing date is 22.12.2021. The petitioner undertakes to appear before the court below on 06.12.2021 and apply for recall of warrant. The said application will be considered and disposed of on the same day. I place on record the petitioner's undertaking that in all future hearings, the petitioner will personally attend and in the event of failure



to do so, he will be duly represented by his counsel.

5.This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar (A.D II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 Additional Sub Judge, Pudukottai
- 2.The Inspector of Police,
Ganesh Nagar Police Station,
Pudukkottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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RS (01.12.2021) 2P 4C