



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.12.2021

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.19254 of 2021

1.Kennady  
2.Deen Jones

... Petitioners/Accused 1 & 2

Vs.

The State of Tamil Nadu  
Represented through  
The Inspector of Police,  
Kallakudi Police Station, Trichy.  
(In Crime No. (\*)853 of 2020)

... Respondent/Complainant

**Prayer:** This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the learned Judicial Magistrate, Lalgudi to consider the warrant recall application on the same day of filing in the case in C.C.No.40 of 2021 on the file of the learned Judicial Magistrate, Lalgudi, Trichy in respect of the case in Crime No.853 of 2020 on the file of the respondent police.

For Petitioners : Mr.A.Azhageson

For Respondent : Mr.M.Sakthi Kumar,  
Govt. Advocate (Crl. Side)

### O R D E R

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

2.The petitioners are facing trial in C.C.No.40 of 2021 on the file of the Judicial Magistrate, Lalgudi. The petitioners state that non bailable warrant has been issued against them. They want to surrender before the Court and also get the same recalled. It is seen that the offences are rather minor in nature. The next hearing date is (\*)20.12.2021. Therefore, the petitioners are directed to be present before the trial Magistrate on (\*)20.12.2021 and apply for recall of the warrant under Section (\*)70(2) of CrPC. The learned trial Magistrate shall dispose of the recall petition on the same day.



3.This criminal original petition is disposed of accordingly.

Sd/-

Assistant Registrar (CS I)

**(\*)Amended as per order of this Court dated 15.12.2021**

**made in CRL OP(MD)No.19254 of 2021**

WEB COPY

Sd/-

Assistant Registrar (CS III)

// 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:

**(\*)Substitute the order Copy already despatched  
on 13.12.2021**

1.The Judicial Magistrate,  
Lalgudi.

2.The Inspector of Police,  
Kallakudi Police Station,  
Trichy.

3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

Crl.O.P(MD)No.19254 of 2021  
06.12.2021

NSN(CO)

GC(13.12.2021) 2P 4C

MGJ(16.12.2021) 2P 4C