



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2021

CORAM :

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.19988 of 2021

Malaviya

... Petitioner/Sole Accused

Vs.

State by

The Inspector of Police,
Mathichiyam Police Station,
Madurai City.

(In Crime No.815 of 2016)

... Respondent/Complainant

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the learned Judicial Magistrate, Additional Mahila Court, Madurai to consider the recall warrant petition, which will be filed by the petitioner under Section 70(2) of CrPC on the same day of its filing.

For Petitioner : Mr.A.R.Jeya Rhuthran

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

O R D E R

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

2.The petitioner is figuring as accused in the impugned proceedings. Non bailable warrant was issued against him and it is pending execution for almost two years. The learned counsel for the petitioner states that on account of the prevalence of pandemic, the petitioner could not attend the proceedings. The petitioner is a lawyer.

3.Considering the nature of the offences, I am of the view that the petitioner need not be remanded to custody. The petitioner undertakes to appear before the committal Court on 20.01.2022 at 02.15 pm and apply for recall of the warrant. The non bailable warrant shall be recalled at the end of the day and the petitioner shall not be remanded to custody. The committal proceedings shall also be concluded on the same day.



4.This criminal original petition is disposed of these terms.

Sd/-

Assistant Registrar (CS I)

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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 Judicial Magistrate,
Additioanl Mahila Court,
Madurai.
- 2.The Inspector of Police,
Mathichiyam Police Station,
Madurai City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P (MD) No.19988 of 2021
15.12.2021

MGJ(05.01.2022) 2P 4C