



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.19987 of 2021

Malaviya

... Petitioner/ Sole Accused
Vs.

State by

The Inspector of Police,
Government Rajaji Hospital Police Station,
Madurai City.
(In Crime No.25 of 2016)

... Respondent/ Complainant

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the learned Judicial Magistrate No.II, 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 10.30 am and apply for recall of the warrant. The non bailable warrant shall be recalled in the forenoon session itself 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 (CRL)

// True Copy //

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/ /2022

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 No.II,
Madurai.
- 2.The Inspector of Police,
Government Rajaji Hospital Police Station,
Madurai City.
- 3.The Additional Public Prosecutore,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.A.R.JEYA RHUTHRAN, Advocate (SR-38957[F] dated 15/12/2021)

Crl.O.P(MD)No.19987 of 2021
15.12.2021

RD(6.01.2022) 2P 5C