



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CrI.O.P (MD)No.20029 of 2021

WEB COPY

1.C.Raja

2.Sharmila

3.R.Suriyaprakash

4.C.Muthachi

... Petitioners / Accused Nos.1 to 4

Vs

M.Valarmathi

... Respondent/ Defacto-Complainant

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the learned Judicial Magistrate, Additional Mahila Court, Madurai, Madurai District to consider the petitioner's petition to recall the non bailable warrant issued in C.C.No.1117 of 2019 dated 01.02.2021 on the same day of their surrender.

For Petitioners : Mr.S.T.Sasidharan Tamilkani

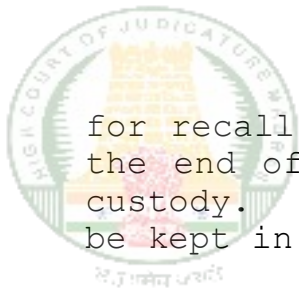
ORDER

Heard the learned counsel appearing for the petitioners. Considering the nature of relief to be granted, issuance of notice to the respondent is dispensed with.

2. The petitioners are facing trial in C.C.No.1117 of 2019 on the file of the Judicial Magistrate, Additional Mahila Court, Madurai. It is a private complaint.

3. Considering the nature of offence, for which the petitioners are facing trial, I am of the view that some indulgence can be shown to the petitioners. The petitioners are said to be agriculturists. Since they did not attend the court below on 01.02.2021, non bailable warrant came to be issued. The petitioners ought to have got the non bailable warrant at an early date. But on account of the prevalence of the pandemic, they did not attend the court hearings. Be that as it may, the petitioners through their counsel gives an undertaking that in all future hearings, they will dutifully appear either in person or through their counsel.

4. Recording the said undertaking, the petitioners are permitted to appear before the court below on 06.01.2022 and apply



for recall of warrant. The court below shall recall the warrant at the end of the day. But the petitioners shall not be remanded to custody. Non bailable warrant issued against the petitioner shall be kept in abeyance till 06.01.2022.

5. This Criminal Original Petition is allowed on these terms.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

rmi

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

The Judicial Magistrate,
Additional Mahila Court, Madurai,
Madurai District.

+1 CC to M/s.S.T.SASIDHARAN TAMILKANI, Advocate (SR-39105[F] dated 16/12/2021)

Crl.O.P(MD)No.20029 of 2021
16.12.2021

RD(31.12.2021) 2P 3C