



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.12.2021

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.20440 of 2021

WEB COPY

Jega @ Jegadeesh

... Petitioner

Vs.

The State Rep. by,
The Inspector of Police,
Prohibition and Enforcement Wing (PEW),
Melur, Madurai District.
(Crime No.7 of 2014).

... Respondent

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the learned Sub Court, Melur to consider the warrant recall petition in connection with S.C.No.375 of 2015 on the very same day of its filing.

For Petitioner : Mr.D.S.Haroon Rasheed
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 facing trial in S.C.No.375 of 2015 on the file of the Sub Court, Melur, for the offences under Sections 4(1) (aaa) and 4(1)(A) of Tamil Nadu Prohibition Act, 1937, Sections 465 and 471 of IPC and Sections 6 and 7 of Tamil Nadu Rectified Spirit Rules, 2000. He was absent on 03.02.2021. That led to issuance of non bailable warrant. The next hearing date 10.01.2022. The petitioner has given certain reasons for his absence and his subsequent non-attendance before the Court below.

3.The petitioner gives an undertaking that he will duly appear in all future hearings either in person or through counsel. In other words, on account of his conduct, the trial will not be delayed or dragged on. If this undertaking is breached, it is open to the Court below to take appropriate actions.

4.Recording the undertaking given by the petitioner through his counsel before this Court, the following directions are issued:-

<https://hcservices.courts.gov.in/hcservices/>



(i) The petitioner shall appear before the Court below on the next hearing date ie., 10.01.2022 and apply for recall of the warrant.

(ii) The Court below shall recall the warrant at the end of the day. In other words, the petitioner shall not be remanded to custody. It is open to the Court below to stipulate appropriate conditions to ensure the cooperation of the petitioner for conduct of the trial in future.

5.This criminal original petition is allowed on these terms.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /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 Subordinate Judge,
Melur.
2. The Inspector of Police,
Prohibition and Enforcement Wing (PEW),
Melur, Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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