



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.NO.6702 OF 2022

Ramachandiran

... Petitioner

.Vs.

The Station House Officer,
District Crime Branch,
Cuddalore District.
(Crime No.68 of 2011)

... Respondent

PRAYER:-

Criminal Original Petition filed under Section 482 Cr.P.C., to direct the learned District Munsif Cum Judicial Magistrate Court at Tittagudi to accept the surrender of petitioner and to recall the non bailable warrant dated 13.11.2019 issued against the petitioner in C.C.No.86 of 2013 on the file of District Munsif Cum Judicial Magistrate Court at Tittagudi on the same day.

For Petitioner : Mr.M.Suresh

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the District Munsif Cum Judicial Magistrate Court at Tittagudi to accept the surrender of petitioner and to recall the non bailable warrant dated 13.11.2019 issued against the petitioner in C.C.No.86 of 2013 on the file of District Munsif Cum Judicial Magistrate Court at Tittagudi on the same day.

2. The learned counsel for the petitioner would submit that the petitioner is an accused facing trial in C.C.No.86 of 2013 on the file of District Munsif Cum Judicial Magistrate Court at Tittagudi for the offence under Section 408, 420, 414 of IPC. He



would further submit that the petitioner was regularly appearing for Trial and the matter was posted for questioning on 13.11.2019 and due to his ill health, he was unable to appear before the Trial Court on 13.11.2019 and the learned Trial Judge had issued Non Bailable Warrant of arrest against him. Thereafter, due to covid pandemic, the petitioner was unable to recall the warrant. He would further submit that the petitioner is ready to surrender and appear before the Trial Court to recall the warrant. Thereby, the present petition has been filed to accept the surrender and recall Non Bailable Warrant on the same day of the petitioner's surrender.

3. Mr.A.Gokulakrishnan, learned Additional Public Prosecutor would submit that the petitioner has been absconding from 13.11.2019 at the stage of questioning. He would further submit that the respondent has taken steps to secure the accused, however, he is continuously absconding.

4. Heard both sides and perused the materials available on record.

5. Taking into consideration of the facts and submissions made, direction is issued to the petitioner to surrender and file the application for recalling the Non Bailable warrant before the trial Court. The learned Trial Judge is directed to pass orders on the petition to recall on the same day of surrender taking into consideration the merits of the case.

6. With the above direction, this Criminal Original Petition stands disposed of.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

shk/sai

To

1. The learned District Munsif-Cum-Judicial Magistrate
District Munsif-Cum-Judicial Magistrate Court,
Tittagudi.



2. The Station House Officer,
District Crime Branch,
Cuddalore District.

3. The Public Prosecutor,
Madras High Court,
Madras.

+1cc to Mr.M.Suresh, Advocate, S.R.No.20733

CRL.O.P.NO.6702 OF 2022

MG (CO)
PBS/13/04/2022