



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2022

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.6206 of 2022

Narayanan

...Petitioner

Vs.

State rep. by its
Inspector of Police,
T-13, Kundrathur Police Station,
Ambattur District,
Chennai.
(Crime No.913 of 2014)

...Respondent

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to recall the Non-Bailable Warrant issued against the petitioner in C.C.No.217 of 2016 on the file of the District Munsif-cum-Judicial Magistrate, Sriperumbudur.

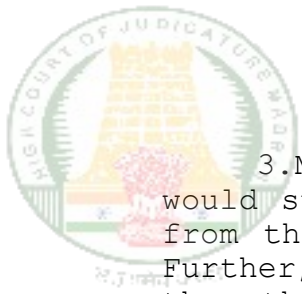
For Petitioner : Mr.W.Camyles Gandhi

For Respondent : Mr.A.Gokulakrishnan,
Additional Public Prosecutor.

O R D E R

The Criminal Original Petition has been filed seeking for a direction to recall the Non-Bailable Warrant issued against the petitioner in C.C.No.217 of 2016 on the file of the District Munsif-cum-Judicial Magistrate, Sriperumbudur.

2. The learned counsel for the petitioner would submit that the petitioner is an accused in C.C.No.217 of 2016. He would further submit that without summons being served on the petitioner, the learned Trial judge had issued Non Bailable Warrant of arrest to the petitioner. He would submit that after the petitioner came to know about the Non Bailable Warrant of arrest, he is ready to surrender. Thereby, he would seek for a direction to recall the Non Bailable Warrant of arrest. He would further submit that the case now stands posted to 24.05.2022 before the trial Court. He would reiterate that the petitioner is prepared to surrender immediately and furnish sureties and cooperate for the speedy disposal of the case.



3.Mr.A.Gokulakrishnan, learned Additional Public Prosecutor would submit that the Non Bailable Warrant of arrest is pending from the year 2016 and the case is pending from the year 2015. Further, summons were issued on him. Since the petitioner and the other accused have not appeared before the Trial Court, the trial could not be completed.

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

5.It is the case of the petitioner that summons were not served on him and without service of summons, the Trial Judge had issued Non Bailable Warrant of arrest.

6.In view of the above, direction is issued to the petitioner to surrender before the trial Court and file an application for recalling Non Bailable Warrant of arrest and the learned Trial Judge is directed to consider the application on merits on the same day of surrender and complete the trial at the earliest.

7.With the above direction, this Petition stands disposed of.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

shk/sai

To

1. The District Munsif-cum-Judicial Magistrate,
Sriperumbudur
2. The Inspector of Police,
T-13, Kundrathur Police Station,
Ambattur District,
Chennai.(Crime No.913 of 2014)
3. The Public Prosecutor,
High Court of Madras.

+lcc to Mr.W.Camyles Gandhi, Advocate, S.R.No.18677

CrI.O.P.No.6206 of 2022

PMK(CO)

RGA(06/04/2022)