



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2022

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

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CrI.O.P.No.6372 of 2022

Purushothaman

...Petitioner/Accused

Vs.

State by

The Sub Inspector of Police,

PEW - Vaniyambadi Police Station,

Tirupathur District.

Crime No.484 of 2016

...Respondent/Complainant

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to recall the Non Bailable Warrant issued against the petitioner in SC No.147 of 2017 dated 06.12.2019 pending on the file of the Principal Sub Judge, Vellore.

For Petitioner : Mr.D.Thirumoorthy

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 SC No.147 of 2017 dated 06.12.2019 pending on the file of the Principal Sub Judge, Vellore.

2. The learned counsel for the petitioner would submit that the petitioner is an accused in SC No.147 of 2017 pending on the file of Principal Sub Judge, Vellore. The petitioner has been regularly appearing before the Court without any default on his part. On 06.12.2019, the petitioner's wife was bedridden and had serious health complications and the petitioner was unable to appear before the Court. He was also unable to communicate his counsel and thereby, he was unable to file application under Section 317 of Cr.P.C., before the concerned Court. He would further submit that since the courts were closed, the petitioner was unable to appear before the Court and file petition to recall non bailable warrant. The petitioner was ready to surrender before the concerned Court. Further, he would submit that direction may be issued to the concerned Court to recall the Non Bailable Warrant.



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3. Mr.A.Gokulakrishnan, Additional Public Prosecutor would submit that the warrant is pending from 2019 and thereby, direction may be issued to the petitioner to surrender before the concerned Court.

4. At this juncture, learned counsel for the petitioner would submit that the petitioner is ready to surrender and to cooperate for the speed disposal of the case.

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

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 the Principal Sub Judge, Vellore is directed to consider the application on merits on the same day of surrender and complete the trial at the earliest.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

shk/sai

To

1.The Principal Subordinate Judge,
Vellore

2.The Sub Inspector of Police,
PEW - Vaniyambadi Police Station,
Tirupathur District.
Crime No.484 of 2016

3.The Public Prosecutor,
High Court of Madras.

+1 CC to M/s.S.P. Arthi, Advocate sr 19069.

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SVI (CO)
SP(05/04/2022)