IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2022

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Crl.O.P.No.14797 of 2022

M.Velmurugan ... Petitioner

Versus

1.State Represented by
The Inspector of Police
Pennadam Police Station
Cuddalore District
(Crime No. 82/2019)

... Respondent

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to direct the learned Judicial Magistrate Court, Thittagudi to consider his application for recall the Non Bailable Warrant (NBW) issued on 09.12.2021to the petitioner in PRC No. 04/2021 (On the file of the Learned Judicial Magistrate, Tittagudi) on the same day.

For Petitioner : Mr.M.Krishnamoorthy
For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the learned Judicial Magistrate Court, Thittagudi to consider his application for recall the Non Bailable Warrant (NBW) issued on 09.12.2021 to the petitioner in PRC No. 04/2021 (On the file of the Learned Judicial Magistrate, Tittagudi) on the same day.

2. The learned counsel for the petitioner would submit that in consonance to the summons, he was regularly appearing before the Trial Court. However, on 09.12.2021 due to the his personal inconvenience, he could not appear before the Court and he was issued with a Non Bailable Warrant. He would submit that the non appearance is neither wilful nor wanton and pleaded this Court for considering his application to recall the Non Bailable Warrant issued against him on 09.12.2021 by the Learned Judicial Magistrate, Tittagudi.

3. Heard both sides and perused the materials placed on record.

4. Considering the plight of the petitioner, this Court directs the petitioner to appear and file an application before the Learned Judicial Magistrate, Tittagudi and on such application, the Trial Court shall consider the same and pass orders on merits on the same date.

5. With the above directions, this Criminal Original Petition stands disposed of.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

dhk

To

1. The Judicial Magistrate,
   Tittagudi.

2. The Inspector of Police
   Pennadam Police Station
   Cuddalore District.
   (Crime No. 82/2019)

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

+1cc to Mr.M.Krishnamoorthy,Advocate Sr.No. 43924 (21/07/2022

Crl.O.P.No.14797 of 2022

JP-II[co]
NSK/13/07/2022