



Crl.O.P.No.26712 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2022

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

Crl.O.P.No.26712 of 2022

V.Vinod Kumar

... Petitioner

/vs/

R.Dinesh Kumar

... Respondent

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the learned Judicial Magistrate No.I, Pollachi to consider the petition to recall the Non Bailable Warrant issued against the petitioner on 06.07.2017 in connection with S.T.C.No.1412 of 2017 on the date of his surrender.

For Petitioner

... Mr.S.Saravanan

ORDER

This Criminal Original Petition has been filed to direct the learned Judicial Magistrate No.I, Pollachi to consider the petition to recall the Non Bailable Warrant issued against the petitioner on 06.07.2017 in connection with S.T.C.No.1412 of 2017 on the date of his surrender.



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WEB COPY 2. Heard the learned counsel for the petitioner.

3. The petitioner is the accused against whom the respondent has given a complaint and the same was taken on file in S.T.C.No1412 of 2017.

4. It is reliably learnt that due to the non-appearance of the petitioner, the Non-Bailable Warrant issued against him is pending for execution. The petitioner without filing any petition to recall the Non-Bailable Warrant in the concerned Court, has filed this petition seeking direction. The direction sought by the petitioner cannot be granted, since he has not availed the remedy open to him before the Court concerned. However, the petitioner is at liberty to file a petition under Section 70(2) of Cr.P.C., to recall the Non-Bailable Warrant. If such petition is filed, the learned Judicial Magistrate – I, Pollachi, shall consider the same in accordance with law.



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5. With the above observations, this Criminal Original Petition is
dismissed.

04.11.2022

Index: Yes/No
Internet: Yes/No
gsk

To
The Judicial Magistrate – I,
Pollachi.



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R.N.MANJULA ,J.

gsk

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