



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.02.2022

CORAM:

THE HON'BLE MRS.JUSTICE **S.ANANTHI**

Crl.O.P. (MD)No.3468 of 2022

Akbar

... Petitioner/Accused No.5

Vs.

State Rep. by
The Inspector of Police,
Mathukkoor Police Station,
Thanjavur District.

... Respondent/Complainant

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to direct the learned Judicial Magistrate Court, Pattukkottai to accept the surrender and consider the bail petition to be filed by the petitioner in P.R.C.No.38/2015 on the file of Judicial Magistrate Court, Pattukkottai on the same day on merits **(*)and also to remit the sureties action order.**

For Petitioner : Mr.C.Ezhilarasu

For Respondent : Mr.R.M.Anbunithi

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the learned Judicial Magistrate Court, Pattukkottai to accept the surrender and consider the bail petition to be filed by the petitioner in P.R.C.No.38/2015 on the file of Judicial Magistrate Court, Pattukkottai on the same day on merits.

2.The learned counsel appearing for the petitioner would submit that since the petitioner did not appear before the Judicial Magistrate, Pattukottai, in respect of the case in PRC No. 38 of 2015 non bailable warrant has been issued against the petitioner. He would further submit that the said absence is neither willful nor wanton and he undertakes that the petitioner shall appear before the Court below regularly on all future hearing dates without fail.

3. Considering the undertaking given by the learned counsel for the petitioner, the petitioner is directed to appear before the learned Judicial Magistrate, Pattukottai on the next hearing and to file a petition under Section 70(2) of Cr.P.C., to recall NBW already issued against him. On filing of such petition, the concerned learned Magistrate is directed to consider the same on its own merits in accordance with law and pass orders on the same day.



4.With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (W)

(*) Corrected as per the order of this court dated 21.03.2022 made in CRL.MP(MD).No. 3634 of 2022

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

pnm/ aav

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

(*) to be substituted the order already despatched on 04.03.2022

To:

1. The Learned Judicial Magistrate, Pattukottai.
2. The Inspector of Police,
Mathukkoor Police Station,
Thanjavur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.C.Ezhilarasu, Advocate, Sr.no. 7011

Crl.O.P.(MD)No.3468 of 2022
18.02.2022

SA(CO)
KB(29.03.2022) 2P 5C