



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2022

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD) No.4140 of 2022

Senthil

...Petitioner

Vs.

The State represented by
The Inspector of Police,
Dhadikombu Police Station,
Dindigul District.
(Crime No.55 of 2016)

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the Judicial Magistrate No.II, Dindigul, Dindigul District to consider the petition to recall the Non Bailable warrant issued as against this petitioner on 16.02.2021 in P.R.C.No.2/2018 on the same day of surrender.

For Petitioner : Mr.K.Prabhu

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This petition has been filed seeking direction to direct the learned Judicial Magistrate No.II, Dindigul, Dindigul District to consider the petition to recall the Non Bailable warrant issued as against this petitioner on 16.02.2021 in P.R.C.No.2/2018 on the same day of surrender.

2. The learned counsel appearing for the petitioner would submit that since the lower court was working through video conference he was unable to appear before the learned Judicial Magistrate No.II, Dindigul, Dindigul District in respect of the case in PRC No. 0 of 2018 and hence, 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 No.II, Dindigul, Dindigul District 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 (AD-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1. Judicial Magistrate No.II, Dindigul, Dindigul District.

2. The Inspector of Police,
Dhadikombu Police Station,
Dindigul District.

3. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.K.PRABHU, Advocate (SR-9843[F] dated 03/03/2022)

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