



Crl.O.P.Nos.20194 & 20217 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.01.2023

CORAM:

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.Nos.20194 and 20217 of 2022

Sayeeraman ... Petitioner in Crl.O.P.No.20194 of 2022

1.R.Radha (DIN 00730026)
Chairman and Managing Director,
M/s.Saraswati Udyog India Ltd.,
Thidumal Road, Kabilarmalai,
Paramathivelur T.K.Namakkal – 637 204.

2.R.R.Prasad (DIN 00730114)
Joint Managing Director and Whole Time Director,
M/s.Saraswati Udyog India Ltd.,
Thidumal Road, Kabilarmalai,
Paramathivelur T.K.Namakkal – 637 204.

3.B.Mohan (DIN 00063073)
Director,M/s.Saraswati Udyog India Ltd.,
Thidumal Road, Kabilarmalai,
Paramathivelur T.K.Namakkal – 637 204.

4.Keerthi Prasad (DIN 07233666)
Director, M/s.Saraswati Udyog India Ltd.,
Thidumal Road, Kabilarmalai,
Paramathivelur T.K.Namakkal – 637 204.

5.Radha Savithri (DIN 07233667)
Director,



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M/s.Saraswati Udyog India Ltd.,
Thidumal Road, Kabilarmalai,
Paramathivelur T.K.
Namakkal – 637 204.

... Petitioners in Crl.O.P.No.20217 of 2022

Vs.

M/s.Triveni Chem Trade,
Represented by Mrs.S.Niraimathi,
Having their registered office at
No.51/26, Padmanabha Nagar,
5th Street, Adayar,
Chennai – 600 020.

... Respondent in both Crl.O.Ps

COMMON PRAYER: Criminal Original Petitions filed under Section 482 Cr.P.C. praying to recall the non bailable warrant dated 10.08.2022 issued in S.T.C.No.3006 of 2022 on the file of the Metropolitan Magistrate/Fast Track Court – III Saidapet, Chennai by allowing these Criminal Original Petitions.

For Petitioners : Mr.N.Jyothi
for Mr.R.Prabakar

For Respondents : Mr.S.Santhosh
Government Advocate (Crl. Side)

COMMON ORDER

These Criminal Original Petitions have been filed to recall the non-bailable warrant, dated 10.08.2022, issued in S.T.C.No.3006 of 2022, on the file of the Metropolitan Magistrate/Fast Track Court – III Saidapet, Chennai.



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2.It appears that petitioners have directly approached this Court for recall of non-bailable warrant, which is not permissible. Therefore, these Criminal Original Petitions are dismissed giving liberty to petitioners to approach the learned Metropolitan Magistrate/Fast Track Court – III Saidapet, Chennai, for recall of non-bailable warrant within a period of two weeks from the date of receipt of a copy of this order. On such filing of the petition, the learned Metropolitan Magistrate is directed to dispose of the recall petition on merits and in accordance with law on the same date, taking into consideration that it is only a case filed under Section 138 of Negotiable Instruments Act. Till then, the protection granted against the execution of non-bailable warrant is ordered to be continued.

3.With the above directions, these Criminal Original Petitions are dismissed.

31.01.2023

sli

Internet:Yes

Index:Yes/No

Speaking/Non speaking order



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G.CHANDRASEKHARAN, J.
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To:

- 1.The Metropolitan Magistrate/Fast Track Court – III,
Saidapet, Chennai.
- 2.The Public Prosecutor,
High Court of Madras.

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31.01.2023