



Crl.O.P.No.29825 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.01.2023

CORAM

THE HON'BLE Mr.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.29825 of 2022

Sivamani

... Petitioner

-Vs.-

State by
The Inspector of Police,
Vellore Taluk Police Station,
Vellore District.
Crime No.573 of 2012

.. Respondents

Criminal Original Petition filed under Section 482 of Code of Criminal Procedure to recall the non-bailable warrant issued against the petitioner in S.C.No.143 of 2017 dated 29.09.2022 pending on the file of the Chief Judicial Magistrate, Vellore.

For Petitioner :Mr.D.Thirumoorthy,
for Ms.S.P.Arthi

For Respondents :Mr.S.Santhosh,
Government Advocate (Criminal side)



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ORDER

This Criminal Original Petition has been filed to recall the non-bailable warrant issued against the petitioner in S.C.No.143 of 2017 dated 29.09.2022 pending on the file of the Chief Judicial Magistrate, Vellore.

2. The learned counsel for the petitioner submitted that the petitioner was absent only on 29.09.2022 and therefore non-bailable warrant was ordered against him. It appears that the petitioner has straight away came to this Court seeking re-call of non-bailable warrant, without approaching the trial Court.

3. In view of the above, this Criminal Original Petition is disposed of with a direction to the petitioner to file an appropriate petition before the learned Chief Judicial Magistrate, Vellore for recall of non-bailable warrant. On filing of such petition, the learned Chief Judicial Magistrate, Vellore is directed to consider the petition on merits on the same day and pass appropriate orders on merits and in accordance with law.



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

19.01.2023

Speaking/Non-speaking order
Index: Yes/No
Internet : Yes/No
nsa

To

1.The Chief Judicial Magistrate,
Vellore.

2.The Inspector of Police,
Vellore Taluk Police Station,
Vellore District.
Crime No.573 of 2012

3.The Public Prosecutor,
High Court, Madras.



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G.CHANDRASEKHARAN.J.,

nsa

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