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Crl.OP.No.32325 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:03.01.2023

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.32325 of 2022

Selvaraj Kannan

... Petitioner

Vs.

1.State: Rep, by its
The Inspector of Police,
R3, Ashok Nagar Police Station,
Chennai.

2.V.Manimegalai Rep. by her
Power Agent Vishwanathan,
No.10/15, Thai Mugambigai Street,
Janaki Nagar, Valasarawakkam,
Chennai.

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C.,
to direct the first respondent police to recall the nonailable warrant issued in
STC No.180 of 2022 on the file of Fast Track Court, Poonamalle at 10.11.2022.

For Petitioner

: Mr.P.Sundara Rajan

For Respondents

: Mr.S.Santhosh for R1,
Government Advocate(Crl.side)



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ORDER

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This Criminal Original Petition has been filed to direct the first respondent police to recall the non bailable warrant issued in STC No.180 of 2022 on the file of Fast Track Court, Poonamalle at 10.11.2022.

2. It is seen from the submissions made by the learned counsel for the petitioner that the learned Judicial Magistrate, Fast Track Court, Poonamalle had issued non bailable warrant against the petitioner for not appearing before the Trial Court. A reading of prayer in this petition shows that the petitioner seeks direction to the first respondent to recall the non bailable warrant issued in STC No.180 of 2022 on the file of the Fast Track Court, Poonamalle.

3. This Court cannot understand that how this prayer can be entertained when the warrant was issued by learned Judicial Magistrate, Fast Track Court, Poonamalle. The petitioner without approaching the learned Magistrate for recalling warrant, approaching this Court for the said purpose is not correct. Therefore, this Criminal Original Petition stands dismissed with costs.



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4. Accordingly, the petitioner is directed to make a non refundable deposit of a sum of **Rs.1000/- (Rupees Thousand Only)** to the credit of Chief Justice Relief Fund, High Court of Madras, within a period of two weeks from the date of receipt of copy of this Order.

03.01.2023

Internet : Yes / No

Index : Yes / No

Speaking / Non Speaking order

shk

To

1.The Inspector of Police,
R3, Ashok Nagar Police Station,
Chennai.

2.The Public Prosecutor,
High Court of Madras, Chennai.



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shk



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G.CHANDRASEKHARAN,J.

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