



Crl.O.P.(MD)No.3015 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.03.2023**

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.3015 of 2023

K.N.Nagarajan

... Petitioner / Accused

Vs.

M.Maheswaran

... Respondent Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the learned Judicial Magistrate No.III, Tiruchirappalli, to recall the warrant petition in S.T.C. No.1026 of 2017 and dispose of the same without insisting upon the presence of the accused in Court for recalling the warrant issued dated 10.02.2023.

For Petitioner : Mr.B.Sargunam

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to direct the learned Judicial Magistrate No.III, Tiruchirappalli, to recall the warrant petition in S.T.C. No.1026 of



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2017 and dispose of the same without insisting upon the presence of the accused in court for recalling the warrant issued dated 10.02.2023.

2. Since the offence is punishable under Section 138 of Negotiable Instrument Act, the petitioner is at liberty to workout his remedy before the concerned Court by setting out the facts and circumstances of this case, for the purpose of recalling the warrant.

3. The learned Government Advocate (Crl. Side) may also take care that without execution of warrant the petitioner may appear before the concerned Court.

4. The learned counsel for the petitioner further submitted that the entire payment is also been made by the petitioner, which is due payable to the respondent.

5. If it is so, the receipt of payment made by the petitioner can also be produced before the concerned Court and the same may be considered by the concerned trial Court.



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6. With the above said direction, this Criminal Original Petition is

disposed of.

09.03.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Indu

To

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



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G.ILANGO VAN,J.

Indu

Order made in
CrI.O.P.(MD)No.3015 of 2023

Dated: 09.03.2023