



Crl.O.P.(MD)No.10793 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.06.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.10793 of 2023

M.Fazeelathunisha

...Petitioner

Vs.

L.K. Moorthy

.... Respondent

PRAYER: This Criminal original Petition is filed under Section 482 Cr.P.C., to consider the Recall petition against the petitioner on merits in accordance with law on the same day in connection with STC.No.5835 of 2019, dated 02.06.2023, on the file of the Judicial Magistrate No.V, Thiruchirappalli, within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.V. Sujatha

ORDER

Seeking direction to the trial Court viz., Judicial Magistrate No.V, Thiruchirappalli, to consider the recall petition of the petitioner



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against the Non Bailable Warrant which was issued against her on 02.06.2023, on merits and in accordance with law on the same date of her surrender itself.

2. The petitioner herein was charged for the offence under Sections 138 and 142 of Negotiable Instruments Act, before the trial Court. Because of non appearance of the petitioner NBW was issued on 02.06.2023.

3. The learned counsel appearing for the petitioner submits that due to ill health the petitioner did not appear before the trial Court and her non appearance is neither wilful nor wanton.

4. Considering the facts and circumstances, the petitioner is directed to surrender before the learned Judicial Magistrate No.V, Thiruchirappalli and on such surrender, the said learned Magistrate is directed to consider the recall warrant petition of the petitioner against the Non Bailable Warrant, dated 02.06.2023 on the same day itself.



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5. With the above direction, this Criminal Original Petition

is disposed of.

19.06.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
trp

To

1.The Judicial Magistrate No.V, Thiruchirappalli,

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

G.ILANGO VAN,J

trp



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Order made in
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