



Crl.O.P.(MD)No.12629 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED:14.07.2023

CORAM

THE HON'BLE DR.JUSTICE D.NAGARJUN

Crl.O.P.(MD)No.12629 of 2023

Jeevanantha Murugan

... Petitioner

Vs.

Natchiyar

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the Learned Judicial Magistrate Additional Mahila Court (JM Level), Theni to accept and pass orders on the warrant recall petition filed by the petitioner on the same day in C.C.No.60/2023 in DVOP No.17/2021 on the file of the Learned Judicial Magistrate Additional Mahila Court (JM Level), Theni.

For Petitioner : Mr.V.A.Dhana Aravindha Balaji



WEB COPY



CrI.O.P.(MD)No.12629 of 2023

ORDER

This petition is filed seeking for a direction to the learned Judicial Magistrate, Additional Mahila Court, Theni, to recall the Non-bailable Warrant pending against the petitioner in C.C.No.60 of 2023 in D.V.O.P.No.17 of 2021.

2. Whenever a warrant has been issued by learned Magistrate, the aggrieved accused is expected to go before the learned Magistrate and file an application for recalling of warrant under Section 70(2) of the Code of Criminal Procedure. On filing of such application, learned Judicial Magistrate is required to pass orders either allowing or dismissing the application on the same day. The petitioner has filed this application without approaching the Additional Mahila Court and therefore, the petitioner is directed to approach the learned Judicial Magistrate, Additional Mahila Court, Theni, and file application under Section 70(2) of Cr.P.C.



Crl.O.P.(MD)No.12629 of 2023

3. In view of the above, no further orders are required to be passed in this petition and it is accordingly dismissed.

14.07.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
PKN

To

1. The Commissioner of Police,
Madurai City, Madurai.
2. The Inspector of Police,
All Women Police Station,
Thilagarthidal, Madurai City,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.12629 of 2023

DR.D.NAGARJUN,J

PKN

W.P.(MD)No.12629 of 2023

Dated: 14.07.2023