



CrI.O.P.(MD) No.12374 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.07.2023

CORAM:

THE HONOURABLE DR.JUSTICE **D.NAGARJUN**

CrI.O.P.(MD) No.12374 of 2023

P.Sethuramalingam

... Petitioner

Vs.

1.The Inspector of Police,
Chinnadharapuram Police Station,
Karur District.

2.The Inspector of Police,
Rasipuram Police Station,
Namakkal District.

3.S.Periyasami

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Judicial Magistrate Fast Track Court, Karur to recall the warrant issued against the petitioner in STC.No.187 of 2020 dated 09.05.2023 on the file of the Fast Track Court at Magistrate Level, Karur, Karur District.

For Petitioner : Mr.R.Murugappan
For R1 & R2 : Mr.B.Thanga Aravindh
Government Advocate (CrI.side)



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ORDER

This petition is filed seeking for a direction to the learned Judicial Magistrate, Fast Track Court, Karur to recall the warrant issued against the petitioner in STC.No.187 of 2020 dated 09.05.2023.

2.It is submitted by the learned counsel for the petitioner that the petitioner is an accused in S.T.C.No.187 of 2020, which is registered against the petitioner for the offence under Section 138 of Negotiable Instruments Act, 1881. It is submitted that the petitioner is a physically challenged person and he could not make appearance on 09.05.2023 and the petitioner has filed an application for dispensing with his presence under Section 317 Cr.P.C., however the learned Magistrate stated to have dismissed the application and issued bailable warrant and that the petitioner has approached this Court for a direction to the learned Magistrate to recall the warrant. The petitioner is expected to file an application before the trial Court to recall the warrant, however the petitioner without availing such attempt has approached this Court.



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3.Considering the fact that the leg of the petitioner has been amputated, the petitioner is at liberty to approach the learned Judicial Magistrate, Fast Track Court, Karur and file an application to recall the bailable warrant and on filing such application, the learned Judicial Magistrate, Fast Track Court, Karur is directed to consider the same and dispose of the same sympathetically on the very same day.

4.With the above direction, this Petition is disposed of.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

10.07.2023

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To

- 1.The Judicial Magistrate,
Fast Track Court, Karur.
- 2.The Inspector of Police,
Chinnadharapuram Police Station,
Karur District.

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- 3.The Inspector of Police,
Rasipuram Police Station,
Namakkal District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

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