



CrI.O.P.(MD) No.17216 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

CrI.O.P.(MD) No.17216 of 2023

Karthi Ganesh

: Petitioner

Vs.

1.State rep by

The Inspector of Police,
Seven-Wells Police Station,
Chennai.

2.M/s.Aayarvilas Nidhi (Reg. No.11/2007),

Rep. by its Authorized Agent S.Muthumanickam,
131, Kallazhagar Complex,
Alagarkovil Road,
Tallakulam, Madurai.

: Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Learned Fast Track Magistrate Court No.I, Madurai to consider the warrant recall application of the petitioner on the same day in S.T.C.No.231 of 2022, on the file of the learned Fast Track Magistrate Court No.I, Madurai.



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For Petitioner : Mr.M.Prabhu
For Respondent No.1 : Mr.SS.Madhavan
Government Advocate (Crl. side)

ORDER

This petition is filed seeking for a direction to direct the learned Fast Track Magistrate Court No.I, Madurai, to consider the re-call application and dispose of the same on the very same day.

2.It is submitted by the learned Counsel for the petitioner that since 19.01.2023, warrants are pending against the petitioner in a complaint filed by the respondent under Section 138 of the Negotiable Instruments Act. The petitioner submitted that he has been residing in Chennai, therefore, sought for suitable directions.

3.The petitioner is expected to file the application before the trial Court under Section 70(2) Cr.P.C. and explain the reasons for his lapse. In case, the trial Court satisfies, the Court may consider the application. In order to consider and dispose of the application, the trial Court may also require assistance from the respondent / complainant. In view of the above, this application seeking for a direction to dispose of the petition on the very same day cannot be granted.



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4.Accordingly, the Criminal Original Petition is dismissed.

26.09.2023

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

To

1.The Inspector of Police,
Seven-Wells Police Station,
Chennai.

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



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DR.D.NAGARJUN. J.

MR

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