



CRL OP(MD). No.17710 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/10/2023

CORAM

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.17710 of 2023

Padmavathy

... Petitioner / Accused

Vs

**M/s.Sri Balaji Networks,
represented through its Managing Partner,
P.Venkatachalapathy**

... Respondent/Complainant

Prayer:

This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the learned Fast Track Court No.1 (Judicial Magistrate Level), Madurai, to accept the surrender of the petitioner and to consider the petition filed under Section 70(2) Cr.P.C., to recall the Non Bailable Warrant against this petitioner on the same day in S.T.C.No.4 of 2022 on the file of the learned Fast Track Court No.I, (Judicial Magistrate Level), Madurai.



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For Petitioner : M/s.R.Shankar Ganesh

ORDER

This Criminal Original Petition is filed seeking for a direction, directing the learned Fast Track Court No.1 (Judicial Magistrate Level), Madurai, to accept the surrender of the petitioner and to consider the petition filed under Section 70(2) Cr.P.C., to recall the Non Bailable Warrant against this petitioner on the same day in S.T.C.No.4 of 2022 on the file of the learned Fast Track Court No.I, (Judicial Magistrate Level), Madurai.

2. The learned counsel for the petitioner submitted that due to illness on the date of hearing, the petitioner could not appear before the trial Court and her advocate has appeared and filed a petition under Section 317 of Cr.P.C. That petition was dismissed by the trial Court on 25.08.2023, by issuing warrant against the petitioner.



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3. Perusal of the records shows that repeated directions have been issued by this Court, directing the trial Court to expedite the trial process.

4. Learned counsel for the petitioner would submit that, against the direction, the petitioner has preferred an SLP before the Hon'ble Supreme Court.

5. Perusal of the order of the Hon'ble Supreme Court, it is seen that no positive direction was issued in the SLP preferred by the petitioner. Accordingly, the petitioner is bound by the order of this Court. The petitioner must co-operate with the process of trial. Without co-operating with the trial, she is making attempts to prolong the matter.

6. Let the petitioner approach the concerned Court and get the warrant issued against her, recalled by setting out the facts. Considering the fact that the petitioner is a woman, aged about 51 years, the trial Court may consider the recall of warrant petition to be filed by the petitioner, favourably.



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7. With this direction, this Criminal Original Petition is disposed of.

(G I J)
05.10.2023

Note : Issue order copy on 05.10.2023

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To

1.The Judge, Fast Track Court No.1 (Judicial magistrate Level), Madurai.



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G.ILANGOVA, J.

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ORDER
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