



CrI.O.P.(MD) No.17977 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

CrI.O.P.(MD)No.17977 of 2023

Karuthapandi

...Petitioner / Sole Accused

Vs.

The Inspector of Police,
Vadaseri Police Station,
Kanyakumari District.
(In Crime No.669 of 2017)

...Respondent / Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to issue a direction to the Learned Principal Sub Court, Nagercoil to consider the recall warrant petition filed u/s.70(2) of Cr.PC and to recall the non-bailable arrest warrant in S.C. No.23 of 2018 dated 21.07.2022 against the Petitioner / Sole Accused, on the same day.

For Petitioner :Mr.V.M.Jegadeeshapandian

For Respondent :Mr.M.Sakthi Kumar
Government Advocate (CrI. Side)

ORDER

This criminal original petition has been filed seeking direction to the Learned Principal Sub Judge, Nagercoil, to consider the recall warrant petition



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filed u/s.70(2) of Cr.PC and to recall the non-bailable arrest warrant in S.C. No.23 of 2018 dated 21.07.2022 against the Petitioner / Sole Accused, on the same day.

2.The petitioner is the sole accused in S.C.No.23 of 2018 on the file of the learned Principal Sub Court, Nagercoil, for the offence punishable under Section 307 of IPC. Since the petitioner had met with an accident and suffered fracture in his hand, he was unable to appear before the trial Court during the trial process. Hence, warrant was issued against him on 21.07.2023. It is not willful.

3.Let him appear before the concerned Court and get the warrant recalled by setting out the facts and circumstances. There is no question of passing orders favourably by this Court.

4.Accordingly, this criminal original petition stands dismissed with the above said liberty.

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

- 1.The Principal Sub Judge, Nagercoil.
- 2.The Inspector of Police,
Vadaseri Police Station,
Kanyakumari District.
(In Crime No.669 of 2017)
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVA. J.

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