



Crl.O.P.(MD).No.20267 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.11.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.20267 of 2023

1.Sasiyon
2.Marshalin

... Petitioners

Vs.

The State rep.by
The Sub-Inspector of Police,
Vellichanthai Police Station,
Kanyakumari District.
In Cr.No.118 of 2007.

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to issue a direction, directing the Learned Judicial Magistrate, Eraniel to accept the surrender of the Petitioners and consider the Recall Warrant Petition filed under Section 70(2) of Cr.P.C. on the same day in P.R.C.No.1 of 2019 pending.

For Petitioners : Mr.T.Wins

For Respondent : Mr.M.Sakthi Kumar
Government Advocate
(Crl.side)

ORDER

This Criminal Original Petition has been filed seeking direction the Learned Judicial Magistrate, Eraniel, to accept the surrender of the Petitioners and consider the Recall Warrant Petition filed under Section



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70(2) of Cr.P.C. on the same day in P.R.C.No.1 of 2019 pending.

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2.The petitioner is facing charges under Sections 147, 148, 332, 307 of IPC and Sections 3 & 5 of Explosive Act, before the trial Court in P.R.C.No.1 of 2019. The case was posted for appearance of accused on 21.09.2023. On that date, the petitioner remained absent. However, he filed a petition under Section 317 Cr.P.C. That petition came to be dismissed and warrant was issued.

3.Since the warrant was issued, let him surrender before the concerned Court itself and get the warrant recalled by setting out the circumstances. There is no question of recalling or giving direction to the trial Court to pass order in a particular manner. This petition deserves to be dismissed.

4.Accordingly, this criminal original petition stands dismissed.

10.11.2023

Index : Yes / No
Internet : Yes / No
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To

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- 1.The Judicial Magistrate, Eraniel.
- 2.The Sub-Inspector of Police,
Vellichanthai Police Station,
Kanyakumari District.
In Cr.No.118 of 2007.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J.

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