



WEB COPY

Crl.O.P.(MD)No.22733 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:18.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P.(MD) No.22733 of 2023

Sasiyon

... Petitioner/4th Accused

Vs.

The Sub-Inspector of Police,
Velichandhai Police Station,
Kanyakumari District.
Crime No.118 of 2007.

... Respondent

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to set aside the order passed by the learned Judicial Magistrate, Eraniel, in Unnumbered Crl MP No.Nil/2023 in P.R.C.No.1 of 2019.

For Petitioner : Mr.T.Wins

For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor (Crl.side)

ORDER

This Criminal Original Petition is filed to set aside the order passed by the learned Judicial Magistrate, Eraniel, in Unnumbered Crl MP No.Nil/2023 in P.R.C.No.1 of 2019.



WEB COPY

2. The petitioner is facing charges under sections 147, 148 and 307 IPC and 57 of Explosive Act, before the committal Court. Totally, 12 accused appeared before the committal Court and direction was issued to all the accused to appear before the committal Court on 21.09.2023 without fail. But an application under section 317 of Cr.P.C., was filed on behalf of this petitioner namely fourth accused, stating that he was affected by Pancreatic disease, he was admitted in John Gastro Hospital, Nagercoil, on 11.09.2023 and discharged on 21.10.2023.

3. The learned counsel for the petitioner would submit that without noticing the health condition of the petitioner, application filed by the petitioner came to be dismissed, by the order dated 21.09.2023, warrant was also issued against the petitioner and other accused and their bail bonds were also cancelled.

4. Now the grievance of the petitioner is that he appeared before the committal Court on the particular date with all the relevant documents, but were not considered.



5. Even though it has been stated that all relevant documents were produced, records does not indicate the production of the documents by the petitioner.

6. Considering the above said observations, let the petitioner file a recall application before the committal Court. That may be considered by the committal Court on its own merits.

7. With the above said direction, this petition is disposed of.

18.12.2023

Index : Yes/No
Internet : Yes/No

Indu

To

- 1.The learned Judicial Magistrate, Eraniel.
- 2.The Sub Inspector of Police,
Velichandhai Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.22733 of 2023

G.ILANGOVAN. J.

Indu

Crl.O.P.(MD) No.22733 of 2023

18.12.2023