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Crl.O.P.(MD)No.22943 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.12.2023**

CORAM:

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

Crl.O.P.(MD) No.22943 of 2023

Devi

... Petitioner/Accused No.3

Vs.

The State represented by its
The Inspector of Police,
Thiruppachethy Police Station,
Sivagangai District.
In Crime No.212 of 2013

... Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to issue a direction directing the learned District Munsif cum Judicial Magistrate, Thiruppuvanam, to consider the warrant recall petition in connection with C.C.No.942 of 2019 on the very same day.

For petitioner : Mr.D.S.Haroon Rasheed

For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This criminal original petition has been filed seeking direction to the learned District Munsif cum Judicial Magistrate, Thiruppuvanam to consider the warrant recall petition in connection with C.C.No.942 of



2019 on the very same day.

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2.The petitioner is facing charges under Sections 323, 324 and 506(ii) of IPC, before the trial Court. It was taken cognizance in C.C.No. 942 of 2019. Due to non appearance of the petitioner non bailable warrant has been issued by the trial Court on 16.12.2022. According to the petitioner, since the petitioner being a lady and ill health, she was unable to appear before the trial Court on that day. The petitioner ought to have filed a petition before the trial Court. Without doing so, she has come forward to this Court.

3.The petitioner can workout her remedy before the trial Court itself and get the warrant recalled by filing proper application. There is no necessity to issue specific direction to the trial Court by this Court.

4.Accordingly, this criminal original petition stands disposed of.

20.12.2023

Index : Yes/No
Internet : Yes/No
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To

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- 1.The District Munsif cum Judicial Magistrate, Thiruppuvanam.
- 2.The Inspector of Police,
Thiruppachethy Police Station,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN. J.

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