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CrI.O.P No.231 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.231 of 2024

Vinoth
S/o.Poomalai

... Petitioner

VS.

State represented by
The Inspector of Police,
Mangalampet Police Station,
Cuddalore District.
Crime No.24 of 2022

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Judicial Magistrate II, Virudhachalam, to recall the non-bailable warrant issued as against this petitioner on 11.08.2023 in P.R.C.No.11 of 2023 on the same day of his surrender.

For Petitioner : Mr.S.N.Arun Kumar

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor



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ORDER

This Criminal Original Petition has been filed to recall the non-bailable warrant issued by the learned Judicial Magistrate II, Virudhachalam, in P.R.C.No.11 of 2023.

2. The petitioner is arrayed as accused in P.R.C.No.11 of 2023, on the file of the learned Judicial Magistrate II, Virudhachalam, for the offences punishable under Sections 302, 120-B, 449, 307, 109, 176 and 201 IPC.

3. The petitioner was absent during the trial in P.R.C.No.11 of 2023, on the file of the learned Judicial Magistrate II, Virudhachalam. Therefore non-bailable warrant came to be issued on 11.08.2023.

4. The learned counsel appearing for the petitioner undertakes that the petitioner shall appear before the Court below regularly on all future hearing dates without fail.



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5. Learned Additional Public Prosecutor submitted that there are totally four accused in this case and the petitioner/A4 and A3 did not appear before the Court below. Therefore, non-bailable warrant was issued on 11.08.2023. Learned Additional Public Prosecutor further submitted that the other two accused persons appeared before the Court below on the date of hearing.

6. Considering the undertaking given by the petitioner, the petitioner is directed to appear before the learned Judicial Magistrate II, Virudhachalam, within a period of two (2) weeks from today and file a petition to recall the NBW issued against him. The concerned Magistrate is directed to consider the same on merits and pass orders on the same day.

Accordingly, the Criminal Original Petition stands disposed of.

05.01.2024

Note : Issue order copy by 08.01.2024

Index : Yes/No

Speaking Order/Non-Speaking Order

Neutral citation : Yes/No



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N. ANAND VENKATESH., J

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To

- 1.The Judicial Magistrate II,
Virudhachalam.
- 2.The Inspector of Police,
Mangalampet Police Station,
Cuddalore District.
Crime No.24 of 2022
- 3.The Public Prosecutor,
High Court of Madras,
Madras.

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