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Criminal Original Petition No.3613 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.3613 of 2024

Sadhulla
W/o.Ismail

... Petitioner

Vs.

M.Jaisankar
S/o.Mani

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the Judicial Magistrate I, Mettur, Salem District, to recall the non-bailable warrant issued as against the petitioner in connection with the case in STC No.606 of 2019 dated 30.08.2023 on the file of Judicial Magistrate I, Mettur, Salem District.

For Petitioner : Mr..M.Senthilkumar

ORDER

This Criminal Original Petition has been filed seeking a direction to the learned Judicial Magistrate I, Mettur, Salem District, to recall the non-bailable warrant issued as against the petitioner in connection with the case in STC No.606 of 2019 dated 30.08.2023 on the file of Judicial Magistrate I, Mettur, Salem District.

2. Heard Mr..M.Senthilkumar, learned counsel for petitioner.



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3. The petitioner has already been convicted in STC No.606 of 2019 by judgment dated 30.08.2023 by the learned Judicial Magistrate I, Mettur, Salem District. Since the petitioner was not present on the date of passing of the judgment, non-bailable warrant was issued against the petitioner. The petitioner seeks to recall the non-bailable warrant. There is no question of recalling the non-bailable warrant issued against a convicted person. The proper remedy for the petitioner is to file an appeal and challenge the judgment of the trial Court and seek for appropriate remedy.

This Criminal Original Petition is dismissed.

21.02.2024

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

gm

To

The Judicial Magistrate I,

Mettur, Salem District.

N.ANAND VENKATESH, J

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