



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2024

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESHCrl.O.P.No.3687 of 2024

Suma Harris W/o. B.N. Bala Raji

...Petitioner

Vs.

The Inspector of Police,
Central Crime Branch,
17th Team,
Land Grabbing Prevention Special Branch-I,
Vepery, Chennai-600 007.

...Respondent

PRAYER: Criminal Original Petition filed under Section 397 r/w 401(1) of Cr.P.C., to set aside the impugned order passed in Crl. M.P. No.48998 of 2023 dated 31.10.2023 on the file of learned Metropolitan Magistrate, [CCB & CBCID (Metro cases)] Egmore, Chennai.



WEB COPY

For Petitioner

: Ms. S. Shivashankari for
M/s. S. Jayakumar

For Respondent

: Mr. A. Damodaran,
Additional Public Prosecutor.**ORDER**

This Criminal Original Petition has been filed challenging the order passed by the Court below rejecting the application filed under Section 317 of Cr.P.C. to dispense with the appearance of the petitioner (A2) on the date of hearing.

2. The petitioner (A2) is facing trial before the Court below for the offences under Sections 419, 420, 465, 467, 468, 471 read with 120-B of IPC. The case was posted on 31.10.2023. On that day, the petitioner was not able to be present before the Court below and hence filed an application under Section 317 of Cr.P.C. to dispense with her appearance. This application came to be rejected by the Court below and a Non-Bailable Warrant was issued against the petitioner. Aggrieved by the same, the present petition has been filed.



3. Heard Ms. S. Shivashankari for M/s. S. Jayakumar, learned counsel appearing for the petitioner and Mr. A. Damodaran, Additional Public Prosecutor, appearing for the respondent.

4. Considering the facts and circumstances of the case and the reasons assigned by the petitioner, it is left open to the petitioner to file an application for recalling Non-Bailable Warrant issued on 31.10.2023 and the same will be considered and orders will be passed on the same day by the Court below.

5. Accordingly, this Criminal Original Petition is disposed of.
No costs.

20.02.2024

Index : Yes / No

Internet : Yes / No

mjs

Note: Issue Order copy Today.



WEB COPY

To

1. The Metropolitan Magistrate,
[CCB & CBCID (Metro cases)],
Egmore, Chennai.
2. The Inspector of Police,
Central Crime Branch,
17th Team,
Land Grabbing Prevention Special Branch-I,
Vepery, Chennai-600 007.
3. The Public Prosecutor,
High Court of Madras,
Madras.



WEB COPY



5

Crl O.P. No.3687 of 2024

N.ANAND VENKATESH, J.,
mjs

Crl.O.P.No.3687 of 2024

20.02.2024