



Crl.R.C.No.1436 of 2024

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 03.09.2024**

**CORAM**

**THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR**

**Crl.R.C.No.1436 of 2024**

Jahabar Jassam Hajamaideen

... Petitioner

Vs.

Sujith Karunakaran Nair

... Respondent

PRAYER: Criminal Revision Petition filed under Sections 397 r/w 401 of Criminal Procedure Code, to set aside the order dated 10.07.2024 in Crl.M.P.No.40211 of 2024 in S.T.C.No.2560 of 2023 on the file of the learned Metropolitan Magistrate, Fast Track Court II, at Allikulam, Chennai and consequently to direct the learned Magistrate to recall the non bailable warrant dated 10.07.2024 made in S.T.C.No.2560 of 2023.

For Petitioner : Mr.V.Ramanareddy

For Respondent : --



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## ORDER

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This revision petition has been filed to set aside the order dated 10.07.2024 in Crl.M.P.No.40211 of 2024 in S.T.C.No.2560 of 2023 on the file of the learned Metropolitan Magistrate, Fast Track Court II, at Allikulam, Chennai and consequently to direct the learned Magistrate to recall the non bailable warrant dated 16.04.2024 made in S.T.C.No.2560 of 2023.

2. The petitioner/accused in S.T.C.No.2560 of 2023 filed a petition to recall Non Bailable Warrant issued against him in Crl.M.P.No.40211 of 2024. The trial Court finding the reasons not satisfied, dismissed the same, against which, the present revision has been filed.

3. The contention of the learned counsel for petitioner is that petitioner has got fair chance and ready to proceed with the trial and it is only a technical offence under Section 138 of the Negotiable Instruments Act. The petitioner is not disputing the identity and he also undertakes to proceed with the trial in his absence, later he will not dispute or question the



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evidence recorded, he would co-operate with the trial and complete the trial within a period of three months.

4. Recording the above submission, the trial Court is directed to recall the Non Bailable Warrant issued against the petitioner, following the decision of Hon'ble Apex Court in the case of ***Bhaskar Industries Ltd. vs. Bhiwani Denim and Apparels Ltd. and others*** reported in ***(2001) 7 SCC 401***, and permit the petitioner to be represented by his counsel, proceed with the trial and dispose of the same within a period of three months from the date of receipt of a copy of this order.

5. With the above directions, the Criminal Revision Case is disposed of.

03.09.2024

Index : Yes/No  
Speaking Order/Non Speaking Order  
Neutral Citation: Yes/No

vrc

To

The Metropolitan Magistrate,  
Fast Tract Court No.II,

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Allikulam, Chennai.

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**M.NIRMAL KUMAR, J.**

VTC

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