



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.1871 of 2024

Shri K.Sushil Managing Director (Former)
M/s.Fipola Retail India Pvt Ltd.,
No.24, A2 LAPALANCE,
3rd Cross Street, Cremes Road,
Kilpayk, Chennai – 600 010.

...Petitioner

Vs.

1.Employees States Insurance Corporation,
Rep. by the Social Security Officer (Legal)
Having its address at Regional Office, ESI Corporation
No.143, Sterling Road, Nungambakkam, Chennai 60 034.

2.M/s.Fipola Retail India Pvt Ltd., (Company under CIRP)
Shri K.Sushil Managing Director (Former)
Rep. by Sudhir GS, CIRP Professional
2nd Floor, Hari Krupa, 71/1, Mc Nicholas Road,
Chetpet, Chennai 600 031

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to recall the non bailable warrant issued by the II Metropolitan Magistrate at Egmore in C.C.No.15835 of 2022 by order dated 03.11.2023.

For Petitioner : Mr.P.B.Suresh Babu



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ORDER

This Criminal Original Petition has been filed to recall the non bailable warrant issued by the learned II Metropolitan Magistrate at Egmore by order dated 03.11.2023 against the petitioner in C.C.No.15835 of 2022.

2. The petitioner is arrayed as accused in C.C.No.15835 of 2022, on the file of the II Metropolitan Magistrate at Egmore for the offences punishable under Section 85(g)(ii) of the ESI Act, 1948.

3. The petitioner was absent during the trial in C.C.No.15835 of 2022, on the file of the II Metropolitan Magistrate at Egmore. Therefore non bailable warrant came to be issued on 03.11.2023.

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.

5. Considering the undertaking given by the petitioner, the petitioner is directed to appear before the learned II Metropolitan Magistrate at Egmore,



within a period of two weeks from today and to file a petition to recall the NBW issued against him. The concerned Judge is directed to consider the same on merits and pass orders on the same day.

6. Accordingly, the Criminal Original Petition stands disposed of.

02.02.2024

Index: Yes/No

Speaking order/Non-speaking Order

Neutral Citation: Yes/No

ssr

To

1.The II Metropolitan Magistrate at Egmore.

2.The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

SSr

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