



Crl.O.P.(MD) No.160 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.01.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.160 of 2024

P.Sethuramalingam

... Petitioner

Vs.

1.The State rep. by

The Inspector of Police

Chinnadharapuram Police Station,

Karur District.

2.The State rep. by

The Inspector of Police

Rasipuram Police Station,

Namakkal District.

3.S.Periyasami

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, direct the Judicial Magistrate Fast Track Court Karur to recall the warrant issued against the petitioner in S.T.C.No.187/2020 dt.01.12.2023 on the file of the Fast Track Court at Magistrate Level Karur Karur District.



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For Petitioner : Mr.R.Murugappan

For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor for R1&2

ORDER

This Criminal Original Petition has been filed to direct the Judicial Magistrate Fast Track Court Karur to recall the warrant issued against the petitioner in S.T.C.No.187/2020 dt.01.12.2023 on the file of the Fast Track Court at Magistrate Level, Karur Karur District

2. The learned Counsel for the Petitioner submits that the Petitioner is an Accused in the case under Section 138 of the Negotiable Instruments Act. The Petitioner did not appear before the trial Court on 01.12.2023, on which date, the learned Counsel for the Accused filed a Petition under Section 317 Cr.P.C., to condone his absence. The learned Judicial Magistrate, Fast Track Court at Magistrate Level, Karur, Karur District had dismissed the Petition under Section 317 Cr.P.C and issued Non Bailable Warrant. Therefore, the Petitioner is forced to file this Petition seeking to recall the Warrant.



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3. The learned Counsel for the Petitioner rely on the decision of this Court in CrI.O.P.(MD)No.24229 of 2017, dated 08.12.2017, in which, on a similar set of fact, the learned Judge of this Court had set aside the order issued Non Bailable Warrant and direction to the trial Court.

4. In view of the above, the Non Bailable warrant issued on 01.12.2023 is recalled with a direction to the Petitioner to co-operate with the pending trial before the Fast Track Court at Magistrate Level, Karur Karur District.

5. The learned Judicial Magistrate, Fast Track Court at Magistrate Level, Karur Karur District, is directed to dispose of the case within a reasonable time.

With the above directions, this *Petition* is disposed of.

Internet: Yes./No
Index: Yes/No
NCC : Yes/No
Ls

08.01.2024



WEB COPY



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SATHI KUMAR SUKUMARA KURUP, J.

LS

Note: Issue order copy on 12.01.2024
To

1. The Judicial Magistrate Fast Track Court,
Karur
2. The Inspector of Police
Chinnadharapuram Police Station,
Karur District.
3. The Inspector of Police
Rasipuram Police Station,
Namakkal District.
43. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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08.01.2024