



CRL.O.P (MD) Nos.3858, 3860 & 3863 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 04.04.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL.O.P (MD) Nos.3858, 3860 & 3863 of 2024

Dhanalakshmi

... Petitioner (In all cases)

Vs

The Inspector of Police,
Theni Police Station, Theni.

... Respondent (In all cases)

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Fast Track Court (Magistrate Level) Theni to consider the warrant recall application of the petitioner on the same day in STC Nos.218, 219 & 221 of 2023 on the file of the learned Fast Track Court (Magistrate Level), Theni.

(In all cases)

For Petitioner : M/s.Ramesh Babu S,

For Respondent :Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor



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COMMON ORDER

The petitioner has approached this Court seeking a direction to the learned Judicial Magistrate, Fast Track Court (Magistrate Level), Theni to consider the warrant recall application of the petitioner on the same day in STC Nos.218, 219 & 221 of 2023 on the file of the learned Judicial Magistrate, Fast Track Court (Magistrate Level), Theni.

2.The petitioner is A-2 in the proceedings initiated under Section 138 of Negotiable Instruments Act. The petitioner failed to appear before the trial Court on 28.02.2024, due to her sickness. Further, her Counsel failed to file an application to condone her absence. The learned Judicial Magistrate, Fast Track Court (Magistrate Level), Theni, has issued non-bailable warrant of arrest and the same is pending from 28.02.2024. The petitioner is ready to surrender before the trial Court. Further, the petitioner apprehending that she would be arrested, has filed applications in S.T.C.Nos.218, 219 & 221 of 2023, to recall the warrant issued against her.



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3.The petitioner to show her bonafide is perpared to deposit a sum of Rs.10,000/- to the credit of S.T.C.Nos.218, 219 & 221 of 2023 on the file of the learned Judicial Magistrate, Fast Track Court (Magistrate Level), Theni, and also ready to file an affidavit of undertaking that she would appear before the trial Court in all future hearings.

4.The petitioner shall file an application under Section 70 (2) of Cr.p.C, the same shall be considered on the same day and the trial shall be concluded as expeditiously as possible.

5.Considering that the petitioner herein is a woman and the cases are of the year 2023, these Criminal Original Petitions are allowed with a direction to the petitioner to surrender before the learned Judicial Magistrate Concerned and to file an affidavit of undertaking that she will appear before the trial Court regularly. The trial Court shall recall the non-bailable warrant.

NCC : Yes/No
Internet:Yes/No
Index:Yes/No
jbr

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B.PUGALENDHI, J.

jbr

To

1. The Inspector of Police,
Theni Police Station, Theni.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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