



Crl.O.P.(MD)No.14141 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.08.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.14141 of 2024

1.Selvan
2.Muthu
3.Mookammal
4.Sutha
5.Mookkapandi
6.Chittukkani
7.Antichami
8.Eswari
9.Vignesh
10.Eswari
11.Virali
12.Mahesh
13.Kasi
14.Kalai

... Petitioners

Vs.

1.The State of Tamilnadu
rep. by Inspector of Police,
All Women Police Station,
Nilakkottai, Dindigul District.
(Crime No.14 of 2016)

2.Anitha

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS,
to issue direction to recall the Bailable Warrant issued on 10.04.2023 by



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the learned Judicial Magistrate, Nilakkottai, Dindigul District in C.C.No. 58 of 2017 and pass orders within the time stipulated by this Court.

For Petitioners : Mr.P.Veerapandi

For R1 : Mr.E.Antony Sahaya Prabahar
Additional Government Pleader

ORDER

The Criminal Original Petition has been filed seeking orders to recall the Bailable Warrant issued on 10.04.2023 by the learned Judicial Magistrate, Nilakkottai, Dindigul District in C.C.No.58 of 2017.

2. It is not in dispute that on the basis of the complaint lodged by the second respondent, FIR came to be registered in Crime No.14 of 2016 and after completing the investigation, charge sheet came to be filed for the offences under Sections 494, 506(1), 109 and 147 IPC and the case was taken on file in C.C.No.58 of 2017 for the offences under Sections 506(1), 109 and 147 IPC and is pending on the file of the Judicial Magistrate, Nilakkottai, Dindigul District.

3. It is also not in dispute that bailable warrant came to be issued against the petitioners on 10.04.2023 and the present petition has been filed seeking orders to recall the bailable warrant. The petitioners,



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without surrendering or approaching the trial Court, without any basis, has filed the above petition to recallailable warrant.

4. Considering the above facts and circumstances of the case and taking note of the fact that the case is pending from 2017 onwards, this Court is constrained to observe that the present petition has been filed abusing the process of Court. Hence, this Court is of the view that the petition is liable to be dismissed with cost.

5. In the result, this Criminal Original Petition is dismissed. The petitioners are directed to deposit Rs.5,000/- (Rupees Five Thousand only) before the High Court Legal Service Authority attached to this Bench within a period of three weeks from the date of receipt of a copy of this order.

6. Post the matter after four weeks for reporting compliance.

28.08.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm



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K.MURALI SHANKAR,J.

csn

To

- 1.The Inspector of Police,
All Women Police Station,
Nilakkottai,
Dindigul District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.14141 of 2024

Dated: 28.08.2024