



**Crl.O.P(MD)No.5836 of 2025**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 28.03.2025**

**CORAM**

**THE HONOURABLE MR.JUSTICE P. DHANABAL**

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1. The Director,  
Astronio Properties Private Limited,  
Represented by Sasi Kumar  
No.262/R Subbam Street,  
Opp. Sriram Theatre back side,  
Theni - 625 531.

2.The Managing Director,  
Astronio Properties Private Limited,  
Represented by Raj Kumar  
No.262/R Subbam Street,  
Opp. Sriram Theatre back side,  
Theni - 625 531.

... Petitioners

**Vs**

A.Vigneshmoorthy

... Respondent

**PRAYER:** Criminal Original petition has been filed under Section 482 of Cr.P.C call for the records relating to the impugned order dated 07.03.2025 passed by the District Consumer Dispute Redressal Forum, Theni in E.A No. 48/2024 in C.C No. 38/2024 whereby recall the Non Bailable recall warrant was issued against the petitioners and set aside the docket order dated 07.03.2025 by the District Consumer Dispute



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Redressal Forum, Theni.

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For Petitioner : Mr.R.J.Karthick,

### **ORDER**

This Criminal Original Petition has been filed seeking to set aside the impugned order dated 07.03.2025 passed by the District Consumer Dispute Redressal Forum, Theni in E.A No. 48/2024 in C.C No. 38/2024.

2.According to the petitioners, the respondent filed a complaint before the District Consumer Redressal Forum, Theni and without serving notice to the petitioners, the forum issued non bailable warrant in E.A.No.48 of 2024 in C.C.No.38 of 2024. At that relevant point of time, the petitioners were in custody. While so, without passing final order in E.A.No.48 of 2024 under Section 71 of the Consumer Protection Act, the impugned order has been passed. Therefore, the order passed by the authority is liable to be set aside.

3.Considering the limited scope of the prayer sought for in this



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petition, this Court, without even issuing notice to the private respondent, is inclined to pass order.

4.Since the non bailable warrant is pending before the District Consumer Redressal Forum, Theni, it is appropriate to direct the petitioners to approach the District Consumer Redressal Forum, Theni to recall of non bailable warrant. Accordingly, the petitioners are directed to appear before the District Consumer Redressal Forum, Theni by filing petition to cancel the NBW issued against the petitioners, within a period of fifteen days from the date of receipt of a copy of this order. On such application if any filed by the petitioners, the District Consumer Redressal Forum, Theni, is directed to consider the application on the same day on merits and in accordance with law.

5.With the above direction, this criminal original petition is disposed of.

**28.03.2025**

Internet :Yes  
Index :Yes/No  
NCC :Yes/No  
LR

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To

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1.The District Consumer Dispute Redressal Forum,  
Theni

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



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**P. DHANABAL, J.**

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