



Crl.O.P.(MD)No.7591 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2025

CORAM :

THE HON'BLE MR.JUSTICE P. DHANABAL

Crl.O.P.(MD)No.7591 of 2025

Syeddanwar

... Petitioner

Vs

1. The State of Tamil Nadu,
Rep. by the Inspector of Police,
Kenikarai Police Station,
Ramnad District.

2. Ramanathan

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS to direct the learned Judicial Magistrate, Thiruvadanai to consider and dispose the petitioner's warrant recall application on the same day of its filing in connection with the case in STC No.171 of 2024 pending on the file of the learned Judicial Magistrate, Thiruvadanai.

For Petitioner : Mr. T.A.Ebenezer.

For R1 : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)



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ORDER

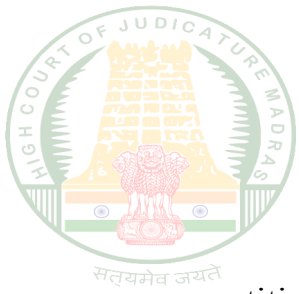
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This petition is filed by the petitioner to direct the learned Judicial Magistrate, Thiruvadanai to consider and dispose the petitioner's warrant recall application on the same day of its filing in connection with the case in S.T.C. No.171 of 2024 pending on the file of the learned Judicial Magistrate, Thiruvadanai.

2. The learned counsel for the petitioner would submit that the petitioner is the second accused in this case. The second respondent lodged cheque complaint against the petitioner and the same was taken on file in S.T.C.No.171 of 2024. No summons was served to the petitioner. Without serving summons, Non Bailable Warrant was issued on 26.03.2025. Therefore, he filed this petition.

3. Mr.M.Sakthi Kumar, the learned Government Advocate (Crl.Side) takes notice for the first respondent.

4. Considering the prayer sought for in this petition, this Court, without issuing notice to the second respondent, is inclined to pass orders.



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5. Since Non Bailable Warrant is pending before the Trial Court, the petitioner, without approaching the Trial Court, straight away filed this petition. Therefore, it is appropriate to direct the petitioner to approach the Trial Court. In view of the same this Court directs the petitioner to approach the Trial Court by way of filing petition to cancel Non Bailable Warrant in accordance with law. If any application is filed by the petitioner, the learned Judicial Magistrate, Thiruvadanai is directed to consider the application filed by the petitioner on the same day on merits in accordance with law.

6. In view of the same, this Criminal Original Petition is disposed of.

25.04.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes

apd

To

1. The Inspector of Police,
Kenikarai Police Station,
Ramnad District.

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

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P. DHANABAL, J.,

apd

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