



Crl.O.P.(MD) No.18234 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.10.2025

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD) No.18234 of 2025

Arun

... Petitioner

Vs.

1.The State of Tamil Nadu through
The Sub-Inspector of Police,
K.Pudupatti Police Station,
Pudukottai District.
In Crime No.77 of 2021

2.Ramkumar

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of Bharathiya Nagarik Suraksha Sanhita, 2023 to direct the learned Judicial Magistrate, Thirumayam, Pudukottai District to consider the petition to recall the warrant filed by the petitioner on the same day of surrender in C.C.No.16 of 2022 on the file of the learned Judicial Magistrate, Thirumayam, Pudukottai District.

For Petitioner : Mr.S.Vimal Raj

For R1 : Mr.R.M.Anbunithi
Additional Public Prosecutor



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ORDER

This Criminal Original Petition has been filed seeking a direction to the learned Judicial Magistrate, Thirumayam, Pudukottai District, to consider the petition filed by the petitioner for recalling the warrant in C.C.No.16 of 2022 on the same day of his surrender.

2. The learned Additional Public Prosecutor for the first respondent would submit that the warrant is pending since 28.01.2025, and therefore, no direction can be issued to the learned Judicial Magistrate, Thirumayam, Pudukottai District, to recall the warrant issued against the petitioner.

3. Without expressing any opinion on the merits of the rival claims, this Court is inclined to direct the learned Judicial Magistrate, Thirumayam, Pudukottai District, to consider the petition for recall of the warrant on the same day. However, this direction shall not be construed to mean that the learned Judicial Magistrate has to pass order in any particular manner. It is for the learned Judicial Magistrate to consider the petitioner's request on its own merits and pass appropriate orders in accordance with law.



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4. With the above observations, this Criminal Original Petition is disposed of.

29.10.2025

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Index: Yes/ No

Neutral Citation: Yes / No

Speaking Order / Non-Speaking Order

Copy To:

- 1.The Judicial Magistrate,
Thirumayam, Pudukottai District.
- 2.The Sub-Inspector of Police,
K.Pudupatti Police Station,
Pudukottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

JEN

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